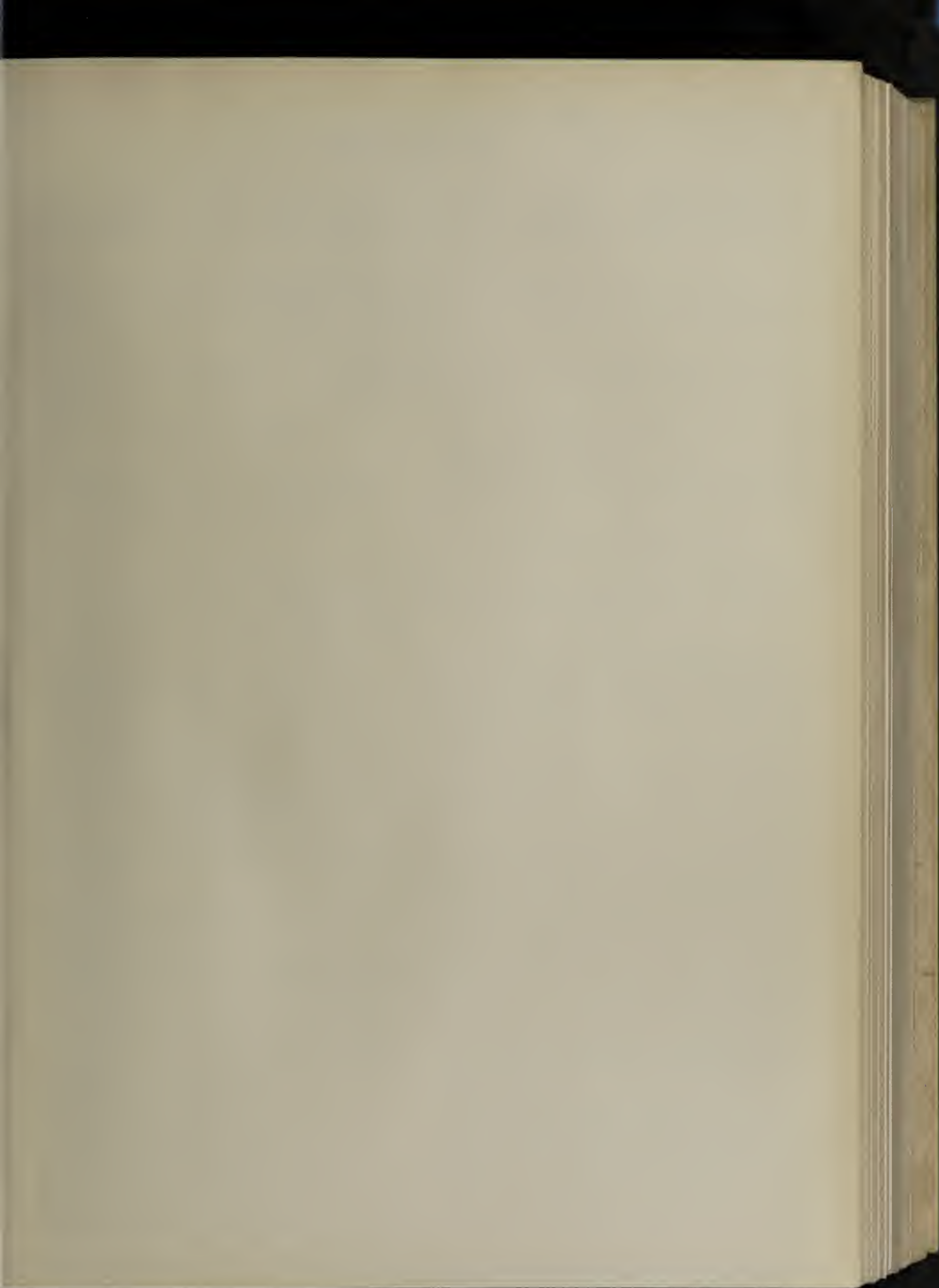


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BULLETIN
OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925.

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No. 1

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

HENRY L. CONNELL

JAMES P. HOLLAND

CHIEF JOHN J. McELIGOTT

WILLIAM J. O'GORMAN, Secretary

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015

TELEPHONE—WORTH 2-6184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Tuesday, January 2, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, January 8, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitioners will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to December 27, 1933.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
383-33-BZ.....	D.B.Bx...	Northeast corner of Virginia ave. & Hugh J. Grant Circle (Block 3929, Lots 1, 8 & 11), Bx., N. B. 223-33
382-33-BZ.....	D.B.Q....	220-02 Merrick rd. (Block 3599, Lot 21), Springfield, Q., N. B. 2559-33
381-33-BZ.....	D.B.Q....	101-01 & 101-05 Roosevelt ave. (Block 1770, Lots 60, 62, 64 & 65), Corona, Q., N. B. 2577-33

Restored to Calendar.

284-32-BZ.....	D.B.Q....	West side of Cross Island blvd., south side of State st. & north side of Crocheron ave. (Block 972, Lot 18), Bayside, Q., N. B. 1138-1932
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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	<i>Last Publication in Bulletin</i>
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Concrete Rules (Hydrated Lime).....	Dec. 26, 1933—Vol. 18 No. 52
Elevator Rules	Dec. 12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
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Fireline Hose Valves.....	Jan. 2, 1934—Vol. 19 No. 1
Fuel Oil Burners for Domestic and Commercial Use	Dec. 26, 1933—Vol. 18 No. 52
Fuel Oil Burners for Industrial Use.....	Nov. 21, 1933—Vol. 18 No. 47
Fuel Oil Pumps.....	Dec. 19, 1933—Vol. 18 No. 51

CALL OF CLERK'S CALENDAR

TUESDAY, JANUARY 2, 1934, AT 2 P. M.

Building Zone Cases.

137-33-BZ.	APPLICANT—Joseph A. Marck, for Jeffem Realty Co., owner.
	PREMISES—Southwest corner of Reeves avenue and Kissena boulevard (Block No. 2168, Lot Nos. 1 and 9), Flushing, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.
279-33-BZ.	APPLICANT—James J. Munro, for Newman Building Co., Inc., owner.
	PREMISES—Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, part of Lot No. 29), Jamaica South, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.
310-33-BZ.	APPLICANT—Rutherford S. Moorhead, for Henry A. Meyer Realty Co., Inc., owner.
	PREMISES—1872-1890 Gerritsen avenue, southwest corner of Brown street (Block No. 6838, Lot No. 1), Brooklyn.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.
311-33-BZ.	APPLICANT—William F. Doyle, for Henry C. Mecke, owner.
	PREMISES—5709-5717 Church avenue, north side, 67 ft. 6¾ in. east of East 57th street (Block No. 4683, Lot No. 36½ and part of Lot Nos. 42 and 44), Brooklyn.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.
312-33-BZ.	APPLICANT—M. Joseph Harrison, for Joseph Halpert, owner.
	PREMISES—Southeast corner of Merrick boulevard and Linden boulevard (Block No. 3104, part of Lot No. 1), St. Albans, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.
205-29-BZ.	APPLICANT—Edward L. Kelly, for Whitestone Service Station, Inc., owner.
	PREMISES—157-30 Willets Point boulevard (Block No. 619, Lot No. 15), Whitestone, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT, partly in a residence district and partly in a business district, the maintenance of a gasoline service station (previously granted by the board for a temporary period; reopened September 19, 1933).

CALENDAR

JANUARY 3, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January 3, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 202-33-BZ—Application, June 2, 1933, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Kapet Holding Corp., owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of Gun Hill road and Mickle avenue (Block No. 4786, Lot No. 36), The Bronx.

CAL. NO. 68-33-BZ—Application, February 20, 1933; withdrawn June 13, 1933; reopened and restored to Calendar September 19, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of M. C. R. Holding Corp., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

CAL. NO. 260-33-BZ—Application, July 26, 1933, under section 21 of the building zone resolution, of Saul Goldsmith, applicant, on behalf of Chris P. Dahl, owner, to permit in a residence district the maintenance of a business illegally installed; premises 91 Clark street (Block No. 232, Lot No. 10), Brooklyn.

CAL. NO. 261-33-BZ—Application, July 26, 1933, under section 21 of the building zone resolution, of Saul Goldsmith, applicant, on behalf of Ella J. Filson, owner, to permit in a residence district the alteration and change of occupancy of the first story of an existing dwelling from residence to business use (stores); premises 93-95 Clark street (Block No. 232, Lot No. 8), Brooklyn.

CAL. NO. 299-33-BZ—Application, September 14, 1933, under section 21 of the building zone resolution, of Abraham J. Halprin, applicant, on behalf of Sarah Beckman, owner, to permit in a business district the erection and maintenance of a gasoline service station and, also, a motor vehicle repair shop; premises 90-100 Hegeman avenue, southeast corner of Hopkinson avenue (Block No. 3633, Lot No. 27), Brooklyn.

CAL. NO. 344-33-BZ—Application, November 10, 1933, under sections 7a, 7c and 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Parkville Amusement Corp., owner, to permit in a residence district the erection and maintenance of a recreation centre; premises

1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

CAL. NO. 289-33-BZ—Application, September 8, 1933, under section 21 of the building zone resolution, of Max Siegel, applicant, on behalf of Harlem Tennis Club Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 3609-3621 Bailey avenue, west side, 83.25 ft. north of West 236th street (Block No. 3270A, part of Lot No. 125), The Bronx.

HARRISH H. MURDOCK, *Chairman.*

JANUARY 3, 1934, 2 P. M.

Appeals from Administrative Orders.

314-33-A—South side of Tysen lane, between Mill and Hylan boulevard (Block No. 4000, Lot No. 39), New Dorp, Borough of Richmond.

358-33-A—22 East 38th street and 241 Madison avenue (Block No. 867, Lot No. 55), Manhattan.

160-33-A—261-267 West End avenue and 301 West 72nd street (Block No. 1184, Lot No. 10), Manhattan.

325-33-A—244 West 49th street (Block No. 1020, Lot No. 59), Manhattan.

Appliance Submitted for Approval.

365-33-SA—Trojan Automatic Oil Burner, approval of.

CALL OF CLERK'S CALENDAR
MONDAY, JANUARY 8, 1934, AT 2 P. M.*Building Zone Cases.*

317-33-BZ.

APPLICANT—Edward L. Kelly, for Dickel Construction Co., owner.

PREMISES—Southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

320-33-BZ.

APPLICANT—John A. Cosgrove, for Gottel Radish, owner.

PREMISES—4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

334-33-BZ.

APPLICANT—Charles M. Lobejager, for Harry Sheer, owner.

PREMISES—Northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

CALENDAR

337-33-BZ.

APPLICANT—John J. Dunnigan, for City Bank Farmers Trust Co., as trustee of Estate of William Waldorf Astor.

PREMISES—East side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), The Bronx.

APPLICATION, under section 7f of the building zone resolution,

TO PERMIT in a business district the maintenance of a parking space for more than five (5) motor vehicles.

CAL. NO. 313-33-BZ—Application, September 29, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Isaac Klapper, owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 9, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 321-30-BZ—Application, May 9, 1930, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; laid over for a full vote of board December 23, 1930; application of Kennedy & Ellner, applicants, on behalf of Summerville Realty Co., Inc., present owner; restored to Calendar December 15, 1933; premises northwest corner of Union turnpike and Parsons boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

CAL. NO. 294-33-BZ—Application, September 12, 1933, under section 21 of the building zone resolution, of Theodore C. Krautter, applicant and owner, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises 189-21 Linden boulevard (Block No. 1955, Lot No. 28), St. Albans, Borough of Queens.

CAL. NO. 307-33-BZ—Application, September 22, 1933, under section 21 of the building zone resolution, of M. Joseph Harrison, applicant, on behalf of 1758 Coney Island Avenue Realty Co., Inc., owner, to permit in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop and, also, the inclusion of a gasoline service station; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Brooklyn.

JANUARY 9, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 9, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 295-33-BZ—Application, August 1, 1933, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Henry M. Rinder, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises west side of Jerome avenue, 193.47 ft. north of Cromwell avenue (Block No. 2855, Lot No. 12), The Bronx.

CAL. NO. 352-33-BZ—Application, November 18, 1933, under section 21 of the building zone resolution, of Albert J. Courtney, applicant, on behalf of Columbus 67th Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station, bus terminal and parking space; premises 101-117 West 67th street, 160-176 Columbus avenue, 100-124 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Manhattan.

CAL. NO. 74-33-BZ—Application, February 25, 1933; withdrawn April 25, 1933; reopened September 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Packard Motor Car Company of New York, owner, to permit, partly in a business district and partly in a residence district, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles (previously granted by the board for automobile showroom, sales and distributing and service station); premises 4650-4664 Broadway and 2-16 Sherman avenue (Block No. 2175, Lot No. 1), Manhattan.

CAL. NO. 287-33-BZ—Application, September 6, 1933, under section 21 of the building zone resolution, of Fred Meier, applicant, on behalf of William Allan, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

CALENDAR

NO. 495-32-BZ—Application, September 20, 1932, under section 21 of the building zone resolution; withdrawn February 3, 1933; reopened February 15, 1933, under section 7f; denied May 2, 1933; reopened May 31, 1933, under section 21 of the building zone resolution, of Michael Levine, applicant, on behalf of Navillus Realty Corp., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 122-13 to 122-21 Rockaway boulevard, northwest corner of 123rd street (Block No. 2512, part of Lot No. 7), South Ozone Park, Borough of Queens.

NO. 266-33-BZ—Application, August 8, 1933, under section 21 of the building zone resolution, of William Koppe, applicant, on behalf of Hollender Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Sound View avenue and St. Lawrence avenue (Block No. 3596, Lot No. 1), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 15, 1934, AT 2 P. M.

Building Zone Cases.

2-33-BZ.

APPLICANT—Edward V. McKeown, for 1351 Boscobel Avenue Corp., owner.

REMISES—Southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

8-33-BZ.

APPLICANT—Jerome F. Healy, Jr., for Benedicta Vetter, owner.

REMISES—2259-2261 Washington avenue, west side, 101 ft. north of East 182nd street (Block No. 3038, Lot No. 35), The Bronx.

APPLICATION, under sections 7e, 7g and 21 of the building zone resolution,

TO PERMIT in a business district the conversion of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles.

21-33-BZ.

APPLICANT—Hyman & Segall, for Pennbrook Realty Co., Inc., owner.

REMISES—Southwest corner of Oak avenue and Jamaica avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

31-33-BZ.

APPLICANT—Emil Guterman, for Litvin Holding Corp., owner.

PREMISES—1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

JANUARY 16, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 16, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 185-33-BZ—Application, May 15, 1933, under section 21 of the building zone resolution, of William Richter, applicant, on behalf of Sadie Teitelbaum, owner, to permit, partly in a business district and partly in a residence district, the maintenance of an automobile wrecking and junk storage yard; premises 2284-2296 West 8th street and 129-143 Avenue W, northwest corner (Block No. 7142, Lot Nos. 48 and 53), Brooklyn.

CAL. NO. 323-33-BZ—Application, October 14, 1933, under section 21 of the building zone resolution, of George A. Schonewald, applicant, on behalf of Elgeo Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

CAL. NO. 101-32-BZ—Application, February 29, 1932; individual garages granted on certain conditions June 17, 1932; reopened November 14, 1933, under section 21 of the building zone resolution, of Joseph Schafran, applicant, substituted for Charles S. Clark, on behalf of Thema Rosen, owner, to permit, partly in a business district and partly in an unrestricted district, the maintenance of an open air parking space for more than five (5) cars and the installation of two (2) gasoline tanks and pumps as accessory to the parking space and individual garages; premises west side of Bailey avenue, 182 ft. south of West 230th street (Block No. 3264, Lot No. 70), The Bronx.

CAL. NO. 217-33-BZ—Application, June 12, 1933, under section 21 of the building zone resolution, of Benjamin N. Brody, applicant, on behalf of Hattie Schrage, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Springfield boulevard and 110th road (Junior place), (Block No. 2038, Lot No. 28), Jamaica, Borough of Queens.

CAL. NO. 292-33-BZ—Application, September 8, 1933, under section 21 of the building zone resolution,

CALENDAR

tion, of Joseph H. Goldstein, applicant, on behalf of Bonomo Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2729-2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 16, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 16, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 147-33-BZ—Application, April 19, 1933, under section 21 of the building zone resolution, of Celler & Kraushaar, applicants, on behalf of Arseekay Syndicate, Inc., owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises north side of Queens boulevard, 333.03 ft. east of 56th avenue (Block No. 1845, Lot No. 41), Elmhurst, Borough of Queens.

CAL. NO. 297-33-BZ—Application, September 12, 1933, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Teresa C. McGroddy, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises east side of Sedgwick avenue, 150.19 ft. north of Undercliff avenue (Block No. 2538, part of Lot No. 3), The Bronx.

CAL. NO. 304-33-BZ—Application, September 18, 1933, under

section 21 of the building zone resolution, of Michael Leone, applicant, on behalf of Vincenzo Mascoli, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building (dwelling) to business use (stores); premises 838 Washington avenue (Block No. 1176, Lot No. 97), Brooklyn.

CAL. NO. 305-33-BZ—Application, September 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of William Berg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 104-106 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot Nos. 38 and 40), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

FEBRUARY 6, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 6, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 276-33-BZ—Application, August 17, 1933, under section 21 of the building zone resolution, of James P. Boyland, applicant, on behalf of William Jay Building Corp., owner, to permit in a residence district the alteration and change of occupancy of part of an existing apartment house from dwelling to business use; premises northeast corner of Grand concourse and East 203rd street (Block No. 3309, Lot No. 42), The Bronx.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY MORNING, DECEMBER 22, 1933.

Present: Chairman Murdock, Commissioners Connell, Holland and Guilfoyle and Chief McElligott.

APPEALS FROM ADMINISTRATIVE ORDERS.

325-33-A.

APPELLANT—Ansonia Fire Prevention Engineering Co., Inc., for 49th Street Parking Corp., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—244 West 49th street (Block No. 1020, Lot No. 59), Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.
For Administration: None.

ACTION OF BOARD—Laid over to January 3, 1934, at 2 p. m., for inspection and report by a committee of the board.

328-33-A.

APPELLANT—Edward P. Doyle, for Joseph I. Girardi, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

APPEARANCES—

For Appellant: Edward P. Doyle.

ACTION OF BOARD—Placed on Reserve Calendar to permit appellant to obtain further information and map as to survey of existing conditions in the general section.

160-33-A.

APPELLANT—Sumner Gerard, for Aeonitt Realty Corp., owner.

SUBJECT—Appeal from orders of the fire commissioner.

PREMISES AFFECTED—261-269 West End avenue and 301 West 72nd street (Block No. 1184, Lot No. 10), Manhattan.

MINUTES

APPEARANCES—None.

ACTION OF BOARD—Laid over to January 3, 1934, at 2 p. m., on written request of appellant. Final disposition.

258-33-A.

APPELLANT—Ansonia Fire Prevention Engineering Co., Inc., for Brooklyn Savings Bank, owner.

SUBJECT—Appeal from an order of the fire commissioner and a decision of the commissioner of buildings.

PREMISES AFFECTED—122-124 East 25th street (Block No. 880, Lot No. 78), Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Holland and Guilfoyle and Chief McElligott 4

Negative 0

Absent: Commissioner Connell..... 1

THE RESOLUTION—

(258-33-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Brooklyn Savings Bank, owner, filed, July 24, 1933, an appeal from an order of the fire commissioner and a decision of the commissioner of buildings, affecting premises 122-124 East 25th street (Block No. 880, Lot No. 78), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated April 3, 1933 (Order No. 2657-F), reads:

"1. Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30' from any opening in any other building and not in the same plane with said openings and which are not more than 50' above a neighboring roof at east, west and south sides of building or other approved protection, as per Section 375, Art. 18, Ch. 5 of the Code of Ordinances."; and

WHEREAS, the decision of the commissioner of buildings, rendered July 6, 1933, reads:

"This will reply to your letter of June 8th relative to Order No. 91216-F, issued December 24th, 1932, which was dismissed on our records and superseded by Order No. 2657-F, issued April 3rd, 1933, affecting the above premises in which you state you have been retained by the owner to appeal to the Board of Standards and Appeals from the requirements of the order, but cannot do so for the reason that more than 20 days have elapsed since the date of issuance of the order and request that the order be rescinded and reissued so that the case may properly be brought before the above board."; and

WHEREAS, the building is fireproof, seven stories (75 ft.) in height, 41 ft. 8 in. by 90 ft. in area; OCCUPIED for stores and offices, not more than twenty persons per story; and

WHEREAS, the appellant has filed plans indicating forty-four window openings in the easterly side, thirty-six in the westerly side and thirty in the south side of the building affected by the order; the appellant claims the exposure at west is caused by two fireproof windows from each story of a twelve-story fireproof, sprinklered building; exposure at south is caused by a twelve-story fireproof, sprinklered building and a six-story brick dwelling, 17 ft. 9 in. to 22 ft. 6 in. distant; exposure at east is caused by a three-story brick building with slag roof and a two-story rear extension with tin roof; however, the appellant proposes to protect the two window openings from the public corridor at each story to the easterly inner court, and request such work accepted as a practical compliance with the order; furthermore,

the appellant contends that the remaining windows and exposures create no fire hazard.

Resolved, that the order of the fire commissioner and the decision of the commissioner of buildings be and they hereby are modified and that the appeal be and it hereby is *granted*, as to the order of the fire commissioner (Order No. 2657-F), *on condition* that all windows facing westerly in the westerly court, which open upon the elevator shaft, shall be made fireproof and self-closing; that all windows facing easterly in the easterly court opening on the corridor shall be made fireproof and self-closing; that the windows in the easterly wall of the building shall be made fireproof and self-closing within a vertical height of 35 ft. above the floors of the adjoining buildings, making a total of twenty-four (24) windows to be made fireproof and self-closing.

301-33-A.

APPELLANT—Croker Fire Prevention Corp., for The Stanley Works, owner.

SUBJECT—Appeal from orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—100-104 Lafayette street (Block No. 209, Lot No. 19), Manhattan.

APPEARANCES—

For Appellant: Sidney L. Strauss.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Connell, Holland and Guilfoyle and Chief

McElligott 5

Negative 0

Absent 0

THE RESOLUTION—

(301-33-A)

WHEREAS, Croker Fire Prevention Corp., for The Stanley Works, owner, filed, September 16, 1933, an appeal from orders and a decision of the commissioner of buildings, affecting premises 100-104 Lafayette street (Block No. 209, Lot No. 19), Borough of Manhattan; and

WHEREAS, the orders of the commissioner of buildings, dated August 8, 1933, read:

"Order No. 5703-F:

"1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20' above the hose outlet in the highest story. Sec. 580-1, Ch. 5, Code of Ordinances, and rule 91 of the Board of Standards and Appeals."; and

"Order No. 5705-F:

"1. Arrange the house water supply pipe so that same will connect with tank on the outside thereof above the 3,500 gallon mark only."; and

WHEREAS, the decision of the commissioner of buildings, rendered September 13, 1933, reads:

"This will reply to your letter of August 30th, 1933, relative to Orders 5703-F and 5705-F, affecting the above premises, in which you state that you desire to appeal to the Board of Standards and Appeals for relief from the requirements of the orders, but cannot do so due to the fact that more than 20 days have elapsed since the date of issuance, and request that the order be rescinded and reissued so that the appeal may be brought properly before the Board.

"Please be advised that your request is denied."; and

WHEREAS, the building is fireproof, eight stories in height, 86 ft. 9 in. by 25 ft. 3 in. in area; OCCUPIED for offices, storage, lithographer and machine shops, not more than fourteen persons per story; and

MINUTES

WHEREAS, the appellant claims, as to Order No. 5703-F, the existing standpipe system was installed when the building was erected in 1890, in accordance with the requirements at that time, fed from a 3,750-gallon house supply tank, the bottom of which is about 5 ft. above the hose outlet of highest story; as to Order No. 5705-F, the appellant proposes to arrange the house supply connection with the tank so as to maintain a reserve of 2,000 gallons for standpipe lines at all times.

Resolved, that the orders and decision of the commissioner of buildings be and they hereby are *modified* and that the appeal be and it hereby is *granted*, as to Order No. 5703-F, permitting the gravity tank to remain in its present location, on condition that the bottom of the tank shall not be less than 5 ft. above the hose outlet of the highest story; that the hose nozzles in the highest story shall be changed to 1/2 inch in diameter; *granted on condition*, as to Order No. 5705-F, that the supply pipe for furnishing water for house purposes shall be so arranged that there will be available at all times for standpipe purposes only not less than 2,000 gallons of water; that this tank shall be used at all times both for standpipe purposes and house purposes, and that rule 91 of the standpipe-fireline rules shall be complied with in all respects other than as modified herein.

303-33-A.

APPELLANT—Samuel Rosenblum, for Central Hanover Bank & Trust Co., owner.

SUBJECT—Appeal from an order of the fire commissioner and a decision of the commissioner of buildings.

PREMISES AFFECTED—7-11 East 40th street (Block No. 1275, Lot Nos. 8 and 9), Manhattan.

APPEARANCES—

For Appellant: Samuel Rosenblum.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland and Guilfoyle and Chief McElligott	4
Negative	0
Absent: Commissioner Connell.....	1

THE RESOLUTION—

(303-33-A)

WHEREAS, Samuel Rosenblum, for Central Hanover Bank & Trust Co., owner, filed, September 15, 1933, an appeal from an order of the fire commissioner and a decision of the commissioner of buildings, affecting premises 7-11 East 40th street (Block No. 1275, Lot Nos. 8 and 9), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated April 19, 1933 (Order No. 3189-F), reads:

"Raise the standpipe gravity tank so that the bottom of said tank is not less than 20' above the hose outlet in the highest story. Sec. 580-1, Ch. 5, Code of Ordinances, and rule 91 of the Board of Standards and Appeals."

and

WHEREAS, the decision of the commissioner of buildings, rendered August 31, 1933, reads:

"This will answer your letter of August 24th, 1933, in which you ask for re-consideration and re-issuance of the order.

"Please be advised that this department has not the power to reconsider orders that are applicable, and your request is therefore denied."

and

WHEREAS, the building is fireproof, eighteen stories in height, 75 ft. by 95 ft. 6 in. in area on the first story and 50 ft. by 79 ft. in area at typical floors, and setbacks above; OCCUPIED: basement, restaurant, 60 persons; 1st story, stores, 40 persons; upper stories, offices, not more than twenty-one persons per story; 17th and 18th stories, one living apartment; and

WHEREAS, the appellant claims the original building was erected in 1912; additional stories were erected in 1926; certificate of occupancy issued in 1927 permitting the present occupancy; the standpipe system is fed from a 6,500-gallon house supply tank, 3,500 gallons reserved for standpipe lines, the bottom of which is 8 ft. above the hose outlet of the eighteenth story; the seventeenth and eighteenth stories are practically a pent house in effect comprising one duplex apartment used for dwelling purposes only; the bottom of tank is 20 ft. above the hose outlet of the highest story used for business purposes; furthermore, the matter of addition to the standpipe system was taken up when additional stories were erected in 1926; plans were approved and work completed in accordance with the present equipment; a letter of August 16, 1927, from the Bureau of Fire Prevention was received stating that upon inspection of the additional standpipe system, as per plan No. 462-1926, affecting premises in question, the work was found satisfactorily completed and meets with the approval of the department (a copy of which is filed with this appeal); under such conditions and the further fact that there is no hazardous occupancy, the appellant requests acceptance of the existing system as adequate.

Resolved, that the order of the fire commissioner (Order No. 3189-F) and the decision of the commissioner of buildings be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that the standpipe-fireline system shall comply with the plans as approved under Plan No. 462-26 by the Bureau of Fire Prevention and shall be maintained as required under rule 91 of the standpipe-fireline rules, and that the hose nozzle on the eighteenth floor shall be changed to 1/2 inch in diameter.

316-33-A.

APPELLANT—Ansonia Fire Prevention Engineering Co., for Seamen's Bank for Savings in the City of New York, owner.

SUBJECT—Appeal from an order of the fire commissioner and a decision of the commissioner of buildings.

PREMISES AFFECTED—140 Fifth avenue (Block No. 820, Lot No. 47), Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland and Guilfoyle and Chief McElligott	4
Negative	0
Absent: Commissioner Connell.....	1

THE RESOLUTION—

(316-33-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., for Seamen's Bank for Savings in the City of New York, owner, filed, October 10, 1933, an appeal from an order of the fire commissioner and a decision of the commissioner of buildings, affecting premises 140 Fifth avenue (Block No. 820, Lot No. 47), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated November 1, 1932 (re Order No. 98187-F), reads:

"1. Raise standpipe tank to twenty feet above the outlet of highest story and properly support same as per Sec. 580-1, Ch. 5, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, rendered September 27, 1933, reads:

"In reference to your request to rescind order No. 98187-F, which requires the elevation of the standpipe tank to comply with Rule 91 of the standpipe rules, you are advised that as the tank is less than 20 feet above the hose outlet in the highest story your request must be denied."

and

MINUTES

WHEREAS, the building is fireproof, twelve stories and pent house in height, 27 ft. 10 in. by 160 ft. in area; OCCUPIED: 1st story, stores, 25 persons; upper stories, cutting clothes and engraving; total of 97 persons above first story; and

WHEREAS, the appellant claims the building was erected in 1899; equipped with a standpipe system fed from a 6,500-gallon house supply tank, 3,500 gallons reserved for standpipe lines, the bottom of which is 14 ft. 8 in. above the hose outlet of pent house story; the pent house was constructed in 1920 under approved plans which showed the standpipe tank and system just as it exists at the present time, the work was completed and accepted by the Bureau of Fire Prevention; the bottom of the tank is 27 ft. above the hose outlet of the highest full story; furthermore, the building is covered with a sprinkler system fed from a 7,500-gallon pressure tank and equipped with a National District Central Office Fire Alarm.

Resolved, that the order of the fire commissioner (Order No. 98187-F) and the decision of the commissioner of buildings be and they hereby are *modified* and that the appeal be and it hereby is *granted*, permitting the tank to remain at its present height, *on condition* that the bottom of the tank shall not be less than 14 ft. above the hose outlet in the pent house story and that there shall at all times be available for standpipe purposes only not less than 3,500 gallons of water, and that rule 91 of the standpipe-fireline rules shall be complied with in all other respects.

324-33-A.

APPELLANT—Croker Fire Prevention Corp., for Wilcox Estate, owner.

SUBJECT—Appeal from orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—107-111 Myrtle avenue and 318-320 Bridge street (Block No. 143, Lot No. 30), Brooklyn.

APPEARANCES—

For Appellant: Sidney L. Strauss.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell, Holland and Guilfoyle and Chief McElligott	5
Negative	0
Absent	0

THE RESOLUTION—

(324-33-A)

WHEREAS, Croker Fire Prevention Corp., for Wilcox Estate, owner, filed, October 16, 1933, an appeal from orders and a decision of the commissioner of buildings, affecting premises 107-111 Myrtle avenue and 318-320 Bridge street (Block No. 143, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the orders of the commissioner of buildings, dated August 23, 1933, read:

“Order No. 0199-LF:

“1. Provide approved iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30' from any opening in any other building and not in the same plane with said openings and which are not more than 50' above a neighboring roof at east side of building, or other approved protection, as per Sec. 375, Art. 18, Ch. 5, of the Code of Ordinances.”;

and

“Order No. 0200-LF:

“1. Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals, Sec. 580-1, Chapter 5, Code of Ordinances.”;

and

WHEREAS, the decision of the commissioner of buildings, rendered October 4, 1933, reads:

“In reply to your letter of September 27, 1933, advising that you have been retained by the owners to appeal from requirements of orders 0199-LF and 0200-LF and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, twenty days, had elapsed, and request dismissal and re-issuance of the above order.

“You are advised that the order cannot be dismissed or reissued. Therefore, your request is denied.”;

and

WHEREAS, the building is non-fireproof, five stories (78 ft.) in height, 91 ft. frontage on Bridge street, 61 ft. frontage on Myrtle avenue by 166 ft. in depth at first story and 100 ft. in depth above first story; OCCUPIED for store and factory work; total of thirteen persons; and

WHEREAS, the appellant claims, as to Order No. 0200-LF, the order was issued only on account of the cellar and first story being slightly in excess of 10,000 sq. ft. in floor area, being about 12,500 sq. ft. each; the building is equipped with a two-source sprinkler system; the first story has been used for a millinery establishment during the past fifty years; the second and third stories are vacant at present; the occupancy of the building is very small; under such conditions it is requested to omit the standpipe system as called for; as to Order No. 0199-LF, there are fifteen window openings in the east wall affected by the order; the exposure is caused by the adjacent two-story and four-story living apartment buildings; there is a line of sprinkler heads within 4 ft. 6 in. of each window opening affected; furthermore, the appellant contends that the exposure in this case creates no fire hazard; it is requested that the order be waived.

Resolved, that the orders and decision of the commissioner of buildings be and they hereby are *modified* and that the appeal be and it hereby is *granted*, as to Order No. 0199-LF, on condition that the sprinkler system on the third, fourth and fifth floors shall be so arranged as to provide a sprinkler head opposite the center of each window and not over 3 ft. 6 in. therefrom at all windows covered by this order on the east wall of the building and above the roofs of the neighboring adjoining buildings; *granted*, as to Order No. 0200-LF, waiving the requirement for a standpipe system, *on condition* that the existing two-source sprinkler system shall be maintained in accordance with the rules of the board of standards and appeals for an existing system, and that the building shall be not increased in height or area.

322-33-A.

APPELLANT—Gray B. Sullivan, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1761 Victory boulevard (Block No. 350, part of Lot No. 12), West New Brighton, Borough of Richmond.

APPEARANCES—

For Appellant: Gray B. Sullivan.

For Administration: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell, Holland and Guilfoyle and Chief McElligott	5
Negative	0
Absent	0

THE RESOLUTION—

(322-33-A)

WHEREAS, Gray B. Sullivan, lessee, filed, October 13, 1933, an appeal from an order and a decision of the fire commissioner, affecting premises 1761 Victory boulevard (Block No. 350, part of Lot No. 12), West New Brighton, Borough of Richmond; and

WHEREAS, the order of the fire commissioner, dated April 18, 1933, reads:

MINUTES

"1. Discontinue the use and storage of fuel oil on these premises in violation of the Code of Ordinances."; and

WHEREAS, the decision of the fire commissioner, rendered October 2, 1933, reads:

"Replying to your inquiry of September 20, 1933, please be advised that it is the understanding of this department that the Superfex Oil Burner has been approved for domestic use only.

"This department orders it removed wherever found in a commercial occupancy.

"We would suggest that before making any purchase of any fuel oil burner that you inquire of the Board of Standards and Appeals, Room 1002, Municipal Building, to ascertain whether the burner has been approved."; and

WHEREAS, the building is of frame construction, two stories in height, 20 ft. by 50 ft. in area; OCCUPIED: 1st story, pharmacy, 3 persons; 2nd story, storage of drug stock, no occupancy; and

WHEREAS, the appellant claims the Superfex Oil Burner (approved by the board under Cal. No. 491-31-SA for domestic purposes) is located on the first story at the rear of store in the prescription department, shielded by sheet iron on the floor and partly around the burner; the burner is used only for heating the store; it has a reservoir of two gallons capacity, using No. 1 fuel oil; it is proposed to store 100 gallons of such fuel oil in drums in the yard; the appellant requests that the existing fuel oil burning system be permitted to remain as installed under the above conditions.

Resolved, that the order and decision of the fire commissioner be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the installation of the Superfex Oil Burner shall comply with the requirements of the fuel oil rules of the board of standards and appeals except as to subdivision 5 of rule 22 thereof.

350-33-A.

APPELLANT—Ansonia Fire Prevention Co., Inc., for Charles G. Edwards, agents for Peter B. Behr, receiver.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—588-590 Broadway (Block No. 511, Lot No. 10), Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell, Holland and Guilfoyle and Chief McElligott	5
Negative	0
Absent	0

THE RESOLUTION—

(350-33-A)

WHEREAS, Ansonia Fire Prevention Co., Inc., for Charles G. Edwards Co., agents for Peter B. Behr, receiver, filed, November 14, 1933, an appeal from an order and a decision of the commissioner of buildings, affecting premises 588-590 Broadway (Block No. 511, Lot No. 10), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated August 3, 1933 (re Order No. 5663-F), reads:

"1. Raise standpipe tank to twenty feet above the outlet of highest story and properly support same as per Sec. 580-1, Ch. 5, Code of Ordinances."; and

WHEREAS, the decision of the commissioner of buildings, rendered October 25, 1933, reads:

"In reference to your request to rescind our Order No. 5669-F, requiring a tank of at least 3,500 gallons for the standpipe system, you are advised that in as much as the tank is necessary to comply with the rules of the Board of Standards and Appeals, your request is denied."; and

WHEREAS, the building is fireproof, twelve stories in height, 51 ft. by 199 ft. 7 in. in area; OCCUPIED for the manufacture of miscellaneous clothing; a tenant factory; not more than 150 persons per story; and

WHEREAS, the appellant claims the existing standpipe system was installed when the building was erected in 1897, fed from two house supply tanks, one of 1,435 gallons, the other of 2,000 gallons capacity, the bottom of the latter is 10 ft. 9 in. above the highest hose outlet and 13 ft. above a second hose outlet in the top story; it is proposed to rearrange the pipe connections with the tanks so as to reserve the 2,000-gallon tank solely for the standpipe system; furthermore, the appellant contends that the building is equipped with a sprinkler system, fed from an 8,000-gallon gravity tank and a 6,000-gallon pressure tank, with central office waterflow alarm.

Resolved, that the order and decision of the commissioner of buildings be and they hereby are *modified* and that the order be and it hereby is *granted*, as to Order No. 5663-F, Item 1, permitting the standpipe tank to remain at its present level, *on condition* that the bottom of the tank shall not be less than 10 ft. 9 in. above the highest outlet in the top story; that there shall be a reserve at all times of not less than 2,000 gallons of water solely for standpipe purposes; that the hose nozzles in the top story shall be changed to ½ inch diameter; that the existing sprinkler system shall be maintained in good workable condition in accordance with the sprinkler rules of the board of standards and appeals as they apply to existing installations.

351-33-A.

APPELLANT—Ansonia Fire Prevention Engineering Co., Inc., for Charles G. Edwards Co., agents for Peter B. Behr, receiver.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—584-586 Broadway (Block No. 511, Lot No. 8), Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell, Hollano and Guilfoyle and Chief McElligott	5
Negative	0
Absent	0

THE RESOLUTION—

(351-33-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Charles G. Edwards Co., agents for Peter B. Behr, receiver, filed, November 14, 1933, an appeal from an order and a decision of the commissioner of buildings, affecting premises 584-586 Broadway (Block No. 511, Lot No. 8), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated August 3, 1933 (Order No. 5661-F), reads:

"1. Raise standpipe tank of twenty feet above the outlet of highest story and properly support same as per Sec. 580-1, Ch. 5, Code of Ordinances."; and

WHEREAS, the decision of the commissioner of buildings, rendered October 25, 1933, reads:

MINUTES

"In reference to your request to rescind our Order No. 5661-F, requiring a tank of at least 3,500 gallons for the standpipe system, you are advised that in as much as the tank is necessary to comply with the Rules of the Board of Standards and Appeals, your request is denied.";

and

WHEREAS, the building is fireproof, twelve stories in height, 51 ft. by 199 ft. 4¾ in. in area; OCCUPIED for the manufacture of miscellaneous clothing; a tenant factory; not more than one hundred persons per story; and

WHEREAS, the appellant claims the existing standpipe system was installed when the building was erected in 1897, fed from two house supply tanks, one of 1,435 gallons, the other of 2,600 gallons capacity, the bottom of the latter is 11 ft. 9 in. above the highest hose outlet in the top story; it is proposed to rearrange the pipe connections with the tanks so as to reserve the 2,600-gallon tank solely for the standpipe system; furthermore, the appellant contends that the building is equipped with a sprinkler system, fed from an 800-gallon gravity tank and a 6,000-gallon pressure tank with central office waterflow alarm.

Resolved, that the order and decision of the commissioner of buildings be and they hereby are *modified* and that the appeal be and it hereby is *granted*, as to Order No. 5661-F, only so far as it affects the building under appeal, namely, Nos. 584-586 Broadway, permitting the standpipe tank to remain at its present location and height, *on condition* that the bottom of the tank shall be not less than 11 ft. 9 in. above the highest outlet in the top story; that the hose nozzles in the top story shall be changed to ½ inch diameter; that there shall be a reserve at all times of not less than 2,600 gallons of water in the standpipe tank solely for standpipe purposes; that the existing cross-connection in the basement between the standpipe system in this building and the standpipe system in the adjoining building at Nos. 580-582 Broadway shall be discontinued and the connecting pipe completely removed back to the main, which shall be properly plugged or capped, and that the existing sprinkler system shall be maintained in accordance with the requirements of the rules of the board of standards and appeals in so far as they refer to existing installations.

CASES DISMISSED

1029-27-A.

APPELLANT—George P. Nicholson, corporation counsel, on behalf of Fire Commissioner John J. Dorman, Tenement House Commissioner Walter C. Martin and Superintendent of Buildings Charles Brady.

SUBJECT—Revocation of Certificate of Occupancy No. 5759, dated January 16, 1923, issued by the superintendent of buildings, Borough of Manhattan, to Bing & Bing Corp.

PREMISES AFFECTED—39 Fifth avenue (Block No. 588, Lot No. 4), Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle.... 4

Negative 0

Absent: Chief McElligott..... 1

THE RESOLUTION—

(1029-27-A)

WHEREAS, George P. Nicholson, corporation counsel, on behalf of Fire Commissioner John J. Dorman, Tenement House Commissioner Walter C. Martin and Superintendent of Buildings Charles Brady, filed, September 21, 1927, an appeal with the board of standards and appeals for revocation of Certificate of Occupancy No. 5759 of 1923 issued by the superintendent of buildings to Bing & Bing, Inc., January 16, 1923, for No. 39 Fifth avenue (Block No. 588, Lot No. 4), Borough of Manhattan; and

WHEREAS, since the filing of this appeal the tenement house law has been amended by the passage of the Multiple Dwelling Law.

Resolved, that the appeal be and it hereby is *dismissed* on the ground that the issue has been taken care of by the passage of the Multiple Dwelling Law.

1030-27-A.

APPELLANT—George P. Nicholson, corporation counsel, on behalf of Fire Commissioner John J. Dorman, Tenement House Commissioner Walter C. Martin and Superintendent of Buildings Charles Brady.

SUBJECT—Revocation of Certificate of Occupancy No. 11810, dated December 2, 1926, issued by the superintendent of buildings, Borough of Manhattan, to Emery Roth, architect.

PREMISES AFFECTED—13-16 Central Park West (Block No. 1114, Lot Nos. 29 and 31), Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle.... 4

Negative 0

Absent: Chief McElligott..... 1

THE RESOLUTION—

(1030-27-A)

WHEREAS, George P. Nicholson, corporation counsel, on behalf of Fire Commissioner John J. Dorman, Tenement House Commissioner Walter C. Martin and Superintendent of Buildings Charles Brady, filed, September 21, 1927, an appeal to the board of standards and appeals for revocation of Certificate of Occupancy No. 11810-1926 issued by the superintendent of buildings to Emery Roth December 2, 1926, for premises 13-16 Central Park West (Block No. 1114, Lot Nos. 29 and 31), Borough of Manhattan; and

WHEREAS, since the filing of this appeal the tenement house law has been amended by the passage of the Multiple Dwelling Law.

Resolved, that the appeal be and it hereby is *dismissed* on the ground that the issue has been taken care of by the passage of the Multiple Dwelling Law.

1031-27-A.

APPELLANT—George P. Nicholson, corporation counsel, on behalf of Fire Commissioner John J. Dorman, Tenement House Commissioner Walter C. Martin and Superintendent of Buildings Charles Brady.

SUBJECT—Revocation of Certificate of Occupancy No. 10585 of 1926 issued to Herbert J. Krapp, architect, 1650 Broadway, New York City.

PREMISES AFFECTED—20-28 West 72nd street (Block No. 1124, Lot Nos. 46, 47, 47½, 48 and 49), Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle.... 4

Negative 0

Absent: Chief McElligott..... 1

THE RESOLUTION—

(1031-27-A)

WHEREAS, George P. Nicholson, corporation counsel, on behalf of Fire Commissioner John J. Dorman, Tenement House Commissioner Walter C. Martin and Superintendent of Buildings Charles Brady, filed, September 21, 1927, an appeal to the board of standards and appeals for revocation of Certificate of Occupancy No. 10585 of 1926 issued by the superintendent of buildings to Herbert J. Krapp, architect, 1650 Broadway, New York City, dated January 26, 1926, for premises Nos. 20-28 West 72nd street (Block No. 1124, Lot Nos. 46, 47, 47½, 48 and 49), Borough of Manhattan; and

MINUTES

WHEREAS, since the filing of this appeal the tenement house law has been amended by the passage of the Multiple Dwelling Law.

Resolved, that the appeal be and it hereby is *dismissed* on the ground that the issue has been taken care of by the passage of the Multiple Dwelling Law.

1032-27-A.

APPELLANT—George P. Nicholson, corporation counsel, for Fire Commissioner John J. Dorman, Tenement House Commissioner Walter C. Martin and Superintendent of buildings Charles Brady.

SUBJECT—Revocation of Certificate of Occupancy No. 11593 dated October 22, 1926, issued by the superintendent of buildings, Borough of Manhattan, to Jador Realty Co., Inc.

PREMISES AFFECTED—242-248 West 76th street (Block No. 1167, Lot Nos. 55, 56, 56½ and 57), Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle.... 4

Negative 0

Absent: Chief McElligott..... 1

THE RESOLUTION—

(1032-27-A)

WHEREAS, George P. Nicholson, corporation counsel, on behalf of Fire Commissioner John J. Dorman, Tenement House Commissioner Walter C. Martin and Superintendent of Buildings Charles Brady, filed, September 21, 1927, an appeal to the board of standards and appeals for revocation of Certificate of Occupancy No. 11593-1926 issued by the superintendent of buildings to Jador Realty Co., Inc., October 22, 1926, for No. 242-248 West 76th street (Block No. 1167, Lot Nos. 55, 56, 56½ and 57), Borough of Manhattan; and

WHEREAS, since the filing of this appeal the tenement house law has been amended by the passage of the Multiple Dwelling Law.

Resolved, that the appeal be and it hereby is *dismissed* on the ground that the issue has been taken care of by the passage of the Multiple Dwelling Law.

PETITION FOR VARIATION.

336-33-S.

PETITIONER—Victor Mayper, for Fulton Investing Corp., owner.

SUBJECT—Petition for a variation of the labor law as cited in orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—435-445 Fulton street and 408-420 Jay street (Block No. 150, Lot No. 1), Brooklyn.

APPEARANCES—

For Petitioner: Victor Mayper.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition withdrawn on request of petitioner.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Connell, Holland and Guilfoyle and Chief McElligott 5

Negative 0

Absent 0

APPLIANCES SUBMITTED FOR APPROVAL.

62-33-SA.

PETITIONER—Florence Stove Co., owner.

SUBJECT—Florence Oil Heater, Model KC-8, approval of.

APPEARANCES—None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

126-33-SA.

PETITIONER—Tower Manufacturing Co., owner.

SUBJECT—Tower Range Oil Burner, approval of.

APPEARANCES—None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

222-33-SA.

PETITIONER—Horace Dowie, owner; American Fire Prevention Bureau, agent.

SUBJECT—Dowie Combination Anti-Syphon Valve, approval of.

APPEARANCES—None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

244-33-SA.

PETITIONER—Petroleum Heat & Power Co., owner.

SUBJECT—Petro Oil Burner, Model W-2, approval of.

APPEARANCES—None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

245-33-SA.

PETITIONER—Petroleum Heat & Power Co., owner.

SUBJECT—Petro Oil Burner, Models W-1 and W-1½, approval of.

APPEARANCES—None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

341-33-SA.

PETITIONER—Volcano Burner Corp., owner.

SUBJECT—Volcano Automatic Oil Burner, Models EW-1, EW-2 and EW-3, approval of.

APPEARANCES—None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

349-33-SA.

PETITIONER—Herco Oil Burner Corp., owner.

SUBJECT—Herco Oil Burner, approval of.

APPEARANCES—None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

355-33-SA.

PETITIONER—John W. Lange, owner.

SUBJECT—Lange Economical Oil Burner, approval of.

APPEARANCES—None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

359-33-SA.

PETITIONER—Morrissey & Co., owner; Barnet Shifrin, agent.

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SUBJECT—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1, approval of.
APPEARANCES—None.
ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

360-33-SA.
PETITIONER—The Trane Co., owner.
SUBJECT—Trane Climate Changer Oil Burner, approval of.
APPEARANCES—None.
ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

592-32-SA.
PETITIONER—The Ameroil Burner Co., owner; Sherrard Ewing, agent.
SUBJECT—The Ameroil Range Burners, approval of.
APPEARANCES—None.
ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

165-33-SA.
PETITIONER—Chemical Processes Co., owner; The Burrshel Co., agent.
SUBJECT—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner), approval of.
APPEARANCES—None.
ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

369-33-SA.
PETITIONER—S-K Co., Inc., owner.
SUBJECT—S-K Oil Burner, Model F, approval of.
APPEARANCES—None.
ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

372-33-SA.
PETITIONER—John O'Connor, owner.
SUBJECT—Preferred Oil Burner, approval of.
APPEARANCES—None.
ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to Bureau of Combustibles, fire department, and engineer of the board for test and report.

370-33-SA.
PETITIONER—John J. Cox, for The Malleable Steel Range Manufacturing Co., owner.
SUBJECT—South Bend Quick Heat Oil Burner, approval of.
APPEARANCES—None.
ACTION OF BOARD—Petition withdrawn on written request of petitioner.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle.... 4
Negative 0
Absent: Chief McElligott..... 1

229-32-SA.
PETITIONER—Charles W. Russell, for Campbell Machine Co., owner.
SUBJECT—Camel Automatic Oil Burner, Model J, approval of.
APPEARANCES—None.
ACTION OF BOARD—Appliance approved in accordance with report of Bureau of Combustibles, fire department and engineer of the board.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle.... 4
Negative 0
Absent: Chief McElligott..... 1

THE RESOLUTION—

(229-32-SA)

WHEREAS, Charles W. Russell, for Campbell Machine Co., owner, filed, April 29, 1932, a petition with the board of standards and appeals for approval of their device known as the Camel Automatic Oil Burner, Model 30, Types A, B and C; and

WHEREAS, this device was submitted to the fire department for test and report, and the report of the chief of the bureau of fire prevention dated June 9, 1932, recommends the approval of the device; and

WHEREAS, the board of standards and appeals approved the device known as the Camel Automatic Oil Burner, Model 30, Types A, B and C, on June 10, 1932, and petitioner requested a reopening of the case to include the approval of the Camel Automatic Oil Burner, Model J; and

WHEREAS, this burner was submitted to the Bureau of Combustibles of the fire department and the engineer of the board for test and report; and

WHEREAS, the report of the assistant chief of the fire department in charge of the Bureau of Combustibles, endorsed by the engineer of the board reads:

CITY OF NEW YORK

Fire Department

Bureau of Combustibles,
Room 1100, Municipal Building,
Manhattan.

December 16, 1933.

Patrick Walsh,
Assistant Chief of Department,
In Charge Bureau of Combustibles.
Sir:

In accordance with communication of October 13, 1933, from Mr. Harris H. Murdock, Chairman, Board of Standards and Appeals, relative to the Camel Oil Burner, Model J, we submit the following report:

On December 14, 1933, we visited premises 1190 East 180th street, Bronx, accompanied by Mr. Hallam, Assistant Engineer of the Board of Standards and Appeals, and there interviewed Mr. J. Kupferman and Mr. B. Kupferman, representing the Seburn Oil Heat Company.

This burner, the Camel Model J, is a mechanical draft gun type burner, and differs only from the Models 30 A-B-C, which have been approved under Calendar numbered 229-32-SA, in the size of the motor and safety controls used. Model J burner consists of the following parts:

A Campbell $\frac{1}{8}$ H.P. Motor; a Webster Strainer; Campbell pump; Detroit Lubricator regulating valve; Jefferson Transformer and a Campbell nozzle of two-gallons capacity per hour.

The controls consist of a Protectorelay and a Pressuretrol manufactured by the Minneapolis Honeywell Company.

Ignition—Electric.

There are no structural changes in the design of this burner from those models approved. Therefore, this burner could be approved without any further test under

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the General Resolution adopted by the Board of Standards and Appeals on September 16, 1932, which reads as follows:

"Resolved, further, that when models of burner devices of greater or less capacity are made incorporating but slight structural changes in design, these models may be accepted by the administrative official having jurisdiction as conforming to and covered by the original approval."

and when installed and used in accordance with the Fuel Oil Rules adopted by the Board of Standards and Appeals.

Respectfully,
(Signed) JOHN F. DIXON,
Acting Chief Inspector.
CHARLES E. JOHNSON,
Assistant Inspector of Combustibles.
Stamped Received
December 19, 1933.

CITY OF NEW YORK

Fire Department
Bureau of Combustibles,
Room 1100, Municipal Building,
Manhattan.

December 16, 1933.

Mr. Harris H. Murdock,
Chairman,
Board of Standards and Appeals,
Municipal Building,
Manhattan.

Dear Sir:

In reply to your communication of October 13, 1933, relative to Calendar numbered 229-32-SA, Subject: Camel Oil Burner, Model J, I respectfully invite your attention to report of Acting Chief Inspector John F. Dixon and Assistant Inspector of Combustibles Charles Johnson which has my approval.

Respectfully,
(Signed) PATRICK WALSH,
Assistant Chief of Department,
In Charge Bureau of Combustibles.

Resolved, that the board of standards and appeals does hereby *approve* the device known as the Camel Automatic Oil Burner, Model 30, Types A, B and C, and Model J, for use in domestic and commercial installations when installed in accordance with the report of the chief of the bureau of fire prevention and the rules of the board of standards and appeals.

Adjourned 1.30 p. m.

WILLIAM J. O'GORMAN, *Secretary*.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, DECEMBER 27, 1933.

Present: Chairman Murdock, Commissioners Connell, Holland and Guilfoyle and Chief McElligott.

The minutes of the special meeting of the board held on Friday morning, December 15, 1933; the minutes of the special meeting of the board held on Friday afternoon, December 15, 1933; the minutes of the regular meeting of the board held on Tuesday morning, December 19, 1933, and the minutes of the regular meeting of the board held on Tuesday afternoon, December 19, 1933, were approved as printed in Bulletin No. 52, Vol. XVIII.

BUILDING ZONE CASES.

295-33-BZ.

APPLICANT—William Shary, for Henry M. Rinder, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Jerome avenue, 193.47 ft. north of Cromwell avenue (Block No. 2855, Lot No. 12), The Bronx.

APPEARANCES—

For Applicant: William Shary and Henry M. Rinder.

For Opposition: Max Guttman, Ivey Cashatt, Carl A. Kohn, Louis J. Witkin and Joseph Hirsh.

ACTION OF BOARD—Laid over to January 9, 1934, at 2 p. m., for report of committee on inspection.

352-33-BZ.

APPLICANT—Albert J. Courtney, for Columbus 67th Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone

resolution, to permit in a business district the erection and maintenance of a gasoline service station, bus terminal and parking space.

PREMISES AFFECTED—101-117 West 67th street, 160-176 Columbus avenue, 100-124 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Manhattan.

APPEARANCES—

For Applicant: Albert J. Courtney, Louis J. Horwitz, Joseph Adonizio, Louis Abrons and George Sherrin.

For Opposition: Malcolm Sumner, Louis A. Jackson, Thomas T. Grace and Max Segal.

ACTION OF BOARD—Laid over to January 9, 1934, at 2 p. m., for further consideration by board and for applicant to amend plans.

74-33-BZ.

APPLICANT—Martin J. Ort, for Packard Motor Car Company of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit, partly in a business district and partly in a residence district, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles (previously granted by the board for automobile showroom, sales and distributing and service station; reopened September 12, 1933).

PREMISES AFFECTED—4650-4664 Broadway and 2-16 Sherman avenue (Block No. 2175, Lot No. 1), Manhattan.

APPEARANCES—

For Applicant: Charles E. Murphy and George B. Huron.

For Opposition: Martin Schlesinger, Lester G. Rubenstein and Meyer D. Bashein.

ACTION OF BOARD—Laid over to January 9, 1934, at 2 p. m., for report of committee on inspection.

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283-33-BZ.

APPLICANT—Herman Wolff, for Gussie Gordon, owner.
SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing dwelling to business use.

PREMISES AFFECTED—4601 10th avenue (Block No. 5620, Lot No. 11), Brooklyn.

APPEARANCES—

For Applicant: Herman Wolff.

For Opposition: None.

ACTION OF BOARD—Application withdrawn without argument; to comply with building zone law.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Holland and Guilfoyle and Chief McElligott 4
Negative 0
Absent: Commissioner Connell..... 1

441-26-BZ.

APPLICANT—Gussie Cohen, lessee, for Jawitz Realty Corp., present owner.

SUBJECT—Application for reopening—modification—re Application (decision of the superintendent of buildings), under sections 7e and 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—5060-5074 Broadway and 4036-4050 10th avenue, 215th to 216th streets (Block No. 2232, Lot No. 18), Manhattan.

APPEARANCES—

For Applicant: Isaac Cohen.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Absent 0

284-32-BZ.

APPLICANT—John W. McClancy, for Rock Jay Realty Corp., owner; request for reopening made by Arthur H. Haaren, attorney, for applicant.

SUBJECT—Application for reopening—reconsideration—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Cross Island boulevard, south side of State street and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Arthur H. Haaren.

ACTION OF BOARD—Application reopened and restored to Calendar; to be set for Calendar Call.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Negative 0
Absent 0

236-33-BZ.

APPLICANT—Karl Propper, for Klion Holding Corp., owner.

SUBJECT—Application (re decision of the tenement house commissioner), under section 21 of the building zone resolution, to permit in a residence district the

alteration and change of occupancy of part of an existing apartment house from dwelling to business use.

PREMISES AFFECTED—1983-1985 Bryant avenue (Block No. 3130, Lot No. 20), The Bronx.

APPEARANCES—

For Applicant: Samuel L. Paul and Harry Kirp.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Absent 0

THE RESOLUTION—

(236-33-BZ)

WHEREAS, Karl Propper, for Klion Holding Corp., owner, filed, June 26, 1933, an application, under the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing apartment house from dwelling to business use; premises 1983-1985 Bryant avenue (Block No. 3130, Lot No. 20), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bryant avenue is in a residence district; East 178th street is in a residence district, and East Tremont avenue is in a business district; and

WHEREAS, the decision of the tenement house commissioner, rendered June 5, 1933 (re Alt. 14-1933), reads:

"4. Objection not removed.

"Proposed office shall not be permitted. Records of this Department show same to be located in a residence district. Article 2, Section 3 of the Building Zone Resolution.";

and

WHEREAS, the existing building is of non-fireproof construction, six (6) stories in height, with a frontage of 105 ft. on Bryant avenue and 111 ft. on East 178th street; occupied as an apartment house; it is proposed to maintain an office located in the northeast portion of the first story; and

WHEREAS, the board deemed that applicant is not entitled to relief under section 21 on the grounds of unnecessary hardship and practical difficulty.

Resolved, that the decision of the tenement house commissioner be and it hereby is affirmed and that the application be and it hereby is denied.

340-33-BZ.

APPLICANT—Levy & Berger, for Hoona Realty Corp. and Leighton Realty Corp., owners.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of an existing six (6) story building to a three (3) story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—161-167 Atlantic avenue, northwest corner of Clinton street (Block No. 275, Lot No. 1), Brooklyn.

APPEARANCES—

For Applicant: Joseph Levy, Jr., Leo P. Berger and Charles Katz.

For Opposition: Harry J. Engel, Saul B. Bradie, Edward G. O'Neill, Edward J. Hoffman, M. Langstaff and Joseph L. Hernon.

ACTION OF BOARD—Application denied.

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THE VOTE TO GRANT—

Affirmative: Commissioner Guilfoyle..... 1
 Negative: Chairman Murdock, Commissioners
 Connell and Holland and Chief McElligott.. 4
 Absent 0

THE RESOLUTION—

(340-33-BZ)

WHEREAS, Levy & Berger, for Hoona Realty Corp. and Leighton Realty Corp., owners, filed, November 13, 1933, an application, under the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of an existing six (6) story building to a three (3) story garage for more than five (5) motor vehicles; premises 161-167 Atlantic avenue, northwest corner of Clinton street (Block No. 275, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Atlantic avenue is in a business district; State street is in a residence district, and Clinton street is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 10, 1933 (re App. No. 13546-1933), reads:

"Proposed public garage to be erected partly in a business use and partly in a residential district contrary to Art. 2, Sec. 3 and Sec. 4a of Zone Resolution.";

and

WHEREAS, the existing building is of non-fireproof construction, six (6) stories in height, with a frontage of 91 ft. 6 in. on Atlantic avenue, 91 ft. 6 in. on State street and 180 ft. on Clinton street; occupied as stores and apartments; it is proposed to alter the building, remove the upper three stories and remodel the structure to a three (3) story and basement fireproof garage for more than five (5) motor vehicles; and

WHEREAS, the board deemed that applicant failed to substantiate his basis of appeal under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed and that the application be and it hereby is denied.

668-29-BZ.

APPLICANT—Frank Giorgio, Jr., for Elmer Senger, present owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the permanent maintenance of a motor vehicle repair shop (previously granted by the board for a temporary period of one (1) year from March 11, 1932; reopened April 11, 1933).

PREMISES AFFECTED—Northwest corner of Liberty avenue and 92nd street (Block No. 390, Lot No. 22), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Frank Giorgio, Jr., and Elmer Senger.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
 Connell, Holland and Guilfoyle and Chief
 McElligott 5
 Negative 0
 Absent 0

THE RESOLUTION—

(668-29-BZ)

WHEREAS, Frank Giorgio, Jr., for Elmer Senger, present

owner, filed, November 14, 1929; granted on certain conditions March 11, 1930; reopened and temporary permit extended March 8, 1932; reopened April 11, 1933, under section 21, an application, under the building zone resolution, to permit in a business district the permanent maintenance of a motor vehicle repair shop; premises northwest corner of Liberty avenue and 92nd street (Block No. 390, Lot No. 22), Ozone Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Liberty avenue is in a business district; 92nd street is in a business and residence district, and 91st street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 5, 1933, reads:

"Your request for a permanent Certificate of Occupancy for the premises located at the Northwest corner of Liberty Avenue and 92nd Street, Ozone Park, to be used as a motor vehicle repair shop, is hereby denied as it is contrary to Section 4 of the Zone Resolution.";

and

WHEREAS, the building is of fireproof construction, one story in height, with a frontage of 41.7 ft. on Liberty avenue and 112.2 ft. on 92nd street, and occupied as a motor vehicle repair shop; and

WHEREAS, the board deems that the applicant is entitled to relief under section 21 of the building zone resolution.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the building shall not exceed in height one story above grade; that repairs shall be restricted to manual operation and to power-driven machinery requiring motor power of not more than one-half horsepower; that no anvil or open forge shall be maintained on the premises; that the northerly rear and westerly gable walls shall be unpierced throughout their entire height and length; that there shall be no vehicular opening within 25 ft. of the northerly gable wall on the 92nd street front and not more than one vehicular door in Liberty avenue front, which shall not exceed a width of 10 ft. in the clear; that there shall be no gasoline stored or sold on the premises; that any advertising displayed shall be restricted to flat wall signs on the Liberty avenue front; that the exterior of the building on street fronts shall be finished with light-colored face brick with dark-colored face brick trim or architectural terra cotta or natural stone trim; that the operation of a battery charging service may be permitted and also the maintenance of a motor not exceeding one horsepower for the air compressor for inflating tires; that all permits required shall be obtained within six months and any work involved shall be completed within six months from the date of this action.

259-32-BZ.

APPLICANT—James E. Geissberger, for Joseph Lavazoli, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings); under sections 7e and 21 of the building zone resolution, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles.

PREMISES AFFECTED—263-265 West 69th street (Block No. 1161, Lot No. 5), Manhattan.

APPEARANCES—

For Applicant: James E. Geissberger.

ACTION OF BOARD—Application reopened and time extended.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Negative 0
Absent 0

THE RESOLUTION—

(259-32-BZ)

WHEREAS, this application, affecting premises 263-265 West 69th street (Block No. 1161, Lot No. 5), Borough of Manhattan, was granted by the board July 19, 1932, on certain conditions, and applicant requested an extension of time; and

WHEREAS, that the resolution adopted by the board July 19, 1932, be amended, only so far as it affects the time to complete the work, so that as amended it will read: "any work involved shall be completed within one year from the date of this amended resolution."

828-25-BZ.

APPLICANT—Alfred H. Eccles, for Henry Gerken, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of part of an existing garage (previously granted by the board) so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Second avenue and Newtown avenue (Block No. 617, Lot No. 8), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Negative 0
Absent 0

THE RESOLUTION—

(828-25-BZ)

WHEREAS, this application, affecting premises southeast corner of Second avenue and Newtown avenue (Block No. 617, Lot No. 8), Astoria, Borough of Queens, was granted by the board December 22, 1925, and amended March 28, 1933, on certain conditions, and applicant requested an amendment of these conditions as to the time limit imposed.

Resolved, that the resolution of the board adopted March 28, 1933, be amended, only so far as it affects the time limit, so that as amended it will read: "that all permits shall be obtained within six months and all work completed within one year from the date of this amended resolution."

524-31-BZ.

APPLICANT—J. Nelson Cooper, for President & Fellows of Harvard College, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of

buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building for retail store purposes.

PREMISES AFFECTED—2332-2340 Grand concourse, 2331-2345 Ryer avenue and 244 Field place (Block No. 3159, Lot Nos. 13, 14, 15, 19 and 23), The Bronx.

APPEARANCES—

For Applicant: Henry Petruculi.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Negative 0
Absent 0

THE RESOLUTION—

(524-31-BZ)

WHEREAS, this application, affecting premises 2332-2340 Grand concourse, 2331-2345 Ryer avenue and 244 Field place (Block No. 3159, Lot Nos. 13, 14, 15, 19 and 23), Borough of The Bronx, was granted by the board January 26, 1932, on certain conditions; time extended July 5, 1933, and applicant requested a further extension of time.

Resolved, that the resolution of the board adopted January 26, 1932, and as amended July 5, 1933, be further amended, only so far as it relates to the time in which to obtain permits and complete the work, so that as amended it will read: "that all permits shall be obtained within six months and all work completed within one year from the date of this amended resolution."

132-33-BZ.

APPLICANT—Perlman & Wortmann, Inc., for Standard Oil Company of New York, present owners.

SUBJECT—Application for reopening—amendment and approval of plans—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Fordham road and Crotona avenue (Block No. 3116, part of Lot No. 9), The Bronx.

APPEARANCES—

For Applicant: Herbert Wortmann.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle and Chief
McElligott 5
Negative 0
Absent 0

THE RESOLUTION—

(132-33-BZ)

WHEREAS, this application, affecting premises southeast corner of Fordham road and Crotona avenue (Block No. 3116, part of Lot No. 9), Borough of The Bronx, was

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granted by the board at its meeting June 27, 1933, and amended December 12, 1933, on certain conditions, and applicant requested an amendment of these conditions and an approval of the plans submitted.

Resolved, that the resolution adopted June 27, 1933, as amended December 12, 1933, be further amended and the plans submitted be approved, permitting two entrances, as indicated on plans, on Crotona avenue, each entrance not to exceed 25 ft. in width, and no part of any entrance to be nearer than 10 ft. to the corner formed by the intersection of Fordham road and Crotona avenue nor 8 ft. from the southerly lot line of Crotona avenue, and, also, in connection with the greasing section, to permit doors in front of

same, as indicated, *on condition* that there shall be installed permanent vaporproof motor-driven exhaust fans under the first floor level, exhausting into areaways at the rear, as indicated; that the openings between the greasing section and the section marked "waiting room" shall have fireproof sash, glazed with wire glass in all window openings and fireproof, self-closing doors at door openings; that other than as modified herein, the conditions of the resolution adopted June 27, 1933, and amended December 12, 1933, shall be complied with in all respects.

Adjourned 4.00 p. m.

WILLIAM J. O'GORMAN, *Secretary*.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY AFTERNOON, DECEMBER 27, 1933.

Present: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle.

BUILDING ZONE CASES.

287-33-BZ.

APPLICANT—Fred Meier, for William Allan, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: John W. McClancy and Malcolm Cunningham.

For Opposition: Nathan A. Goldenthal.

ACTION OF BOARD—Laid over to January 9, 1934, at 2 p. m., for full vote of the board.

495-32-BZ.

APPLICANT—Michael Levine, for Navillus Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station (previously denied under section 7f; reopened May 31, 1933).

PREMISES AFFECTED—122-13 to 122-21 Rockaway boulevard, northwest corner of 123rd street (Block No. 2512, part of Lot No. 7), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Michael Levine.

For Opposition: None.

ACTION OF BOARD—Laid over to January 9, 1934, at 2 p. m., for full vote of the board.

266-33-BZ.

APPLICANT—William Koppe, for Hollender Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Sound View avenue and St. Lawrence avenue (Block No. 3596, Lot No. 1), The Bronx.

APPEARANCES—

For Applicant: John Kadel and William Koppe.

For Opposition: Mrs. Miller, Arthur Schradin, William Ruff and Harry T. Holmes.

ACTION OF BOARD—Laid over to January 9, 1934, at 2 p. m., for full vote of the board.

384-31-BZ.

APPLICANT—Charles Goodman, for Apex Gas Station, Inc., present owner.

SUBJECT—Application (re decision of the superintendent of buildings and decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection of office, grease pit and car washing building to be used as accessory to an existing gasoline service station (previously dismissed for lack of prosecution; reopened and restored to Calendar September 26, 1933).

PREMISES AFFECTED—2596-2604 Linden boulevard, southwest corner of Crescent street (Block No. 4485, Lot Nos. 6 and 9), Brooklyn.

APPEARANCES—

For Applicant: Charles Goodman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle....	4
Negative	0
Absent: Chief McElligott.....	1

THE RESOLUTION—

(384-31-BZ)

WHEREAS, Charles Goodman, for Apex Gas Stations, Inc., present owner, filed, July 31, 1931; dismissed for lack of prosecution January 26, 1932; reopened and restored to Calendar September 26, 1933, an application, under the building zone resolution, to permit in a residence use district the erection of office, grease pit and car washing building to be used as accessory to an existing gasoline service station; premises 2596-2604 Linden boulevard, southwest corner of Crescent street (Block No. 4485, Lot Nos. 6 and 9), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a residence district; Crescent street is in a residence district; Pine street is in a residence district, and Dumont avenue is in a business district; and

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WHEREAS, the decision of the superintendent of buildings, rendered July 29, 1931 (re Applic. No. 1120-1930), reads:

"Proposed Office Accessory to a gasoline service station to be located in a residential district is contrary to Art. II, Sec. 3 of Zone Resolution.";

WHEREAS, the decision of the commissioner of buildings, rendered December 6, 1933 (re Applic. No. 6605-1933), reads:

"Proposed office, grease pits & car laundry accessory to a gasoline station in a residential use district is contrary to Art. II, Sec. 3 of the Building Zone Resolution and is therefore denied.";

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. on Linden boulevard and 90 ft. on Crescent street, on which tanks have been installed under a permit, and it is now proposed to erect the necessary pumps and accessory buildings for the conduct of a gasoline service station; and

WHEREAS, this application was made the subject of an inspection and report by a committee of the board, and report of said inspection was read at this hearing; and

WHEREAS, the board deems that applicant has substantiated his basis of appeal under section 21 of the building zone resolution and is, therefore, entitled to relief.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, permitting a variance for the plot under appeal, allowing same to be used for a gasoline service station, *on condition* that the entire area of the premises shall be made substantially level to the grade of Linden boulevard and Crescent street; that the accessory buildings shall be located substantially as shown on the plans filed with this application, toward the southerly end of the plot and along the lot line; that these buildings shall be not over one story in height and shall be constructed of fireproof and incombustible materials, except that the roof beams and roof boarding may be of wood, provided the roof surfacing is incombustible and provided that the ceilings shall be fire-retarded in accordance with the rules of the board of standards and appeals; that the front portion of the greasing pit section shall remain open; that the doors and windows to the accessory buildings may be of wood; that there shall be no openings in the southerly wall of these buildings to the adjoining premises; that there shall be no excavation under these buildings except the pits for the greasing racks; that on the balance of the interior lot lines, where not occupied by walls of accessory buildings, there shall be constructed a brick wall, not less than 8 ft. in height, and constructed of face brick to match the face brick to be used in the accessory buildings; that this wall shall be suitably coped; that this wall may start at the height of 4 ft., where it meets the building line on Linden boulevard, and be graduated to the 8 ft. height at the rate of one foot in four; that there shall be erected along the street building line of Crescent street and Linden boulevard a concrete curb, not less than 12 in. in width and 12 in. in height, with not over three openings therein, each opening not to exceed 25 ft. in width, with not over one opening to Crescent street and not over two openings to Linden boulevard, with no part of any opening nearer than 8 ft. to the corner formed by the intersection of Crescent street and Linden boulevard, nor 8 ft. from the interior lot line to the west and to the northerly corner of the accessory building to the south; that opposite these openings there shall be curb cuts not exceeding 30 ft. in width; that the plot, where not covered by accessory buildings, shall be cement paved or covered with cracked blue stone; that gasoline pumps shall be not nearer than 10 ft. to any street line or any portion of an accessory building; that there shall be no portable gas tanks used on or from the property; that signs advertising non-conforming use shall be limited to the illuminated globes of the

gasoline pumps and to a permanent flat sign attached to the front of accessory building or to the lot line walls, excluding all signs of a temporary nature and prohibiting signs on the lot line walls and accessory buildings facing toward adjoining property; that no automobile repairing shall be permitted on the premises; that no storage or parking of cars, other than those being serviced, shall be permitted; that no open flame shall be permitted on the property, and that all permits shall be obtained within six months and all work completed within one year from the date of this resolution.

267-33-BZ.

APPLICANT—Koch & Wagner, for Bohack Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1729-1735 Flatbush avenue, northeast corner of East 35th street (Block No. 7599, Lot Nos. 6, 7, 8 and 9), Brooklyn.

APPEARANCES—

For Applicant: Arthur R. Koch.

For Opposition: L. A. Brown, William L. Carns and Joseph B. Hurewitz.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle....	4
Absent: Chief McElligott.....	1

THE RESOLUTION—

(267-33-BZ)

WHEREAS, Koch & Wagner, for Bohack Realty Corp., owner, filed, August 9, 1933, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 1729-1735 Flatbush avenue, northeast corner of East 35th street (Block No. 7599, Lot Nos. 6, 7, 8 and 9), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatbush avenue is in a business district; East 35th street is in a residence and business district, and Avenue J is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 4, 1933 (re Applic. No. 8159-33), reads:

"1. Proposed gasoline service station in a business use district is contrary to Art. 2, Sec. 4a (46) of the Building Zone Resolution. DENIED.";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 7.8 ft. on East 35th street, 87 ft. 5 in. on Flatbush avenue and a distance of 100 ft. along the north lot line; plot at present is developed with four (4) one-story stores; the north store is occupied for selling gasoline, motor oil, etc.; it is proposed to remove part of the walls, etc., of the buildings now on the site and to leave a space along Flatbush avenue and East 35th street (as shown upon filed plans), upon which it is proposed to install grease pits and, also, the necessary tanks and pumps for a gasoline service station; part of the north store to be used as office and accessory store; and

WHEREAS, this application was made the subject of an inspection and report by a committee of the board, and report of said inspection was read at this hearing, and which report follows:

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REPORT OF COMMITTEE OF INSPECTION.

"Cal. No. 267-33-BZ.

"Premises 1729-1735 Flatbush avenue, northeast corner of East 35th street (Block No. 7599, Lot Nos. 6, 7, 8 and 9), Brooklyn.

"The premises under appeal in this case was inspected by a committee of the board on December 21, 1933.

"The plot in question is on Flatbush avenue, practically at the intersection of East 35th street and near Avenue J. The property in the neighborhood is almost completely developed and on the site under appeal is a one-story taxpayer with four stores owned by Bohack Realty Co. and occupied by H. C. Bohack & Co. There is a gasoline pump on the property at present, which was installed under a permit of some years standing and issued prior to the amendment of the building zone resolution of 1925. The Bohack Co. operates this pump and supplies gas to cars by means of portable tanks. The proposal now is to remodel the one-story taxpayer, do away with the stores and install a gasoline station, with a frontage of approximately 87 ft., with greasing pits, store and other accessory uses. The gasoline station is to be of the alcove type, completely roofed over and of fire-retarding construction.

"It is claimed that the existing stores are not profitable, although this is disputed by those who appeared in opposition. The fact remains there is a conforming use on the premises at the present time and the only hardship that has been shown is of a financial nature and comes from a desire to increase the return on the property by having a non-conforming use as against a conforming use.

"There is great opposition from adjacent owners and the committee of inspection feels that these objections are well justified and that it would be a mistake to permit the variation sought by the applicant. It might be added that there is no need for additional gasoline stations, as there are now four within the area of notification, in addition to the gasoline pump on the premises under appeal, now maintained by H. C. Bohack & Co. The owners of two of these gasoline service stations are on record as objecting to this gasoline service station, and while they are enjoying non-conforming uses because they were in existence prior to the enactment of the building zone resolution in 1925, they are, in the opinion of the committee, maintaining respectable establishments and should not be forced to face additional competition unless very definite hardship can be shown.

"The committee is of the opinion that no such hardship has been shown and recommends that the application be denied.

"(Signed) HARRIS H. MURDOCK,
Chairman.

"JAMES P. HOLLAND,

"JOHN GUILFOYLE.

Committee of Inspection."

and

WHEREAS, this report recommended the denial of the application under section 21 deeming that applicant had failed to substantiate his basis of appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

723-29-BZ.

APPLICANT—William F. Regan, for Baldassare Curreri, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station

(previously denied by the board; reopened September 26, 1933).

PREMISES AFFECTED—261-267 Sheridan avenue, southeast corner of Conduit boulevard (Sunrise highway), (Block No. 4239, Lot No. 9), Brooklyn.

APPEARANCES—

For Applicant: William F. Regan.

For Opposition: Anna R. McCue.

For Administration: Assistant Engineer Benjamin Saltzman of department of buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Guilfoyle..... 1

Negative: Chairman Murdock and Commissioners Connell and Holland..... 3

Absent: Chief McElligott..... 1

THE RESOLUTION—

(723-29-BZ)

WHEREAS, William F. Regan, for Baldassare Curreri, owner, filed, December 11, 1929; denied June 3, 1930; reopened September 26, 1933, under section 21, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 261-267 Sheridan avenue, southeast corner of Conduit boulevard (Sunrise highway), (Block No. 4239, Lot No. 9), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Conduit boulevard is in a business and residence district; Sheridan avenue is in a business and residence district, and Belmont avenue is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 31, 1933 (re App. 2567-1933), reads:

"Application denied. Use contrary to Zone Resolution. Art. II, Sec. 4 (a), Sub.Div. 46. Gasoline Service Station not permitted in Business district.";

and

WHEREAS, the premises consist of an irregular-shaped plot of ground having a frontage of 118 ft. on Conduit boulevard and 84 ft. on Sheridan avenue, upon which it is proposed to erect a one-story office, 15 ft. by 20 ft., and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection and report by a committee of the board, and report of said inspection was read at this hearing; and

WHEREAS, this report recommended the denial of the application under section 21 deeming that applicant had failed to substantiate his basis of appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

141-33-BZ.

APPLICANT—Archie H. Samuels, substituted for Robert F. Collyer, for Elsie J. Hassall, owner.

SUBJECT—Application (re decision of the superintendent of buildings), under sections 7f and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Farmers boulevard and 143rd road (Block No. 3238, Lot No. 109), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: None.

ACTION OF BOARD—Application denied.

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THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock and Commis-
sioners Connell, Holland and Guilfoyle.... 4
Absent: Chief McElligott..... 1

THE RESOLUTION—

(141-33-BZ)

WHEREAS, Archie H. Samuels, substituted for Robert F. Collyer, for Elsie J. Hassall, owner, filed, April 14, 1933, an application, under section 21 of the building zone resolution; amended December 19, 1933, under section 7f, to permit in a business use district the erection and maintenance of a gasoline service station; premises northwest corner of Farmers boulevard and 143rd road (Block No. 3238, Lot No. 109), Springfield, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Farmers boulevard is in a business district; 174th street is in a residence district, and 143rd road is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 3, 1933 (N. B. 490-1933), reads:

"The erection of a gasoline service station in a business district is contrary to Art. 2, Sec. 4, Subdiv. 46 of the Building Zone Resolution. Not further examined.";

and
WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. on Farmers boulevard, 52 ft. on 143rd road and 106 ft. on 174th street, upon which it is proposed to erect a one-story office and grease pits structure, 19 ft. by 55 ft., and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection and report by a committee of the board, and report of said inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

"Cal. No. 141-33-BZ.

"Premises northwest corner of Farmers boulevard and 143rd road (Block No. 3238, Lot No. 109), Springfield, Borough of Queens.

"The building in question is located on Farmers boulevard at the intersection of 143rd road and 174th street. The property along Farmers boulevard is zoned for business and the adjacent property on either side is zoned for residence. The zone was changed in October, 1932, most of the section having been previously undetermined.

"This application is for a variation of the building zone resolution to permit a gasoline service station, and it is claimed that the plans were approved in 1929 by the Bureau of Fire Prevention for the erection of pumps and tanks for the storage of gasoline and that one tank was installed in January, 1932. Instructions were given to the architect for the filing of plans for the necessary accessory buildings, but that plans were not filed until after a zone change had been made.

"This is an appeal from a decision of the commissioner of buildings, refusing to approve these plans. The question hinges on whether there are vested rights on the property owing to the installation of a tank under permits issued by the Fire Prevention Bureau previous to the change of zoning.

"The committee inspected these premises on December 21, 1933, and found an excavation towards the center of the plot indicating that there might have been preparation for the installation of a tank or that the tank might have been installed and then removed. They could find no evidence that the tank had ever been installed, and if installed, used for the storage of gasoline.

"In view of the conditions, the committee has considered that no rights now exist and accordingly directed their attention to the condition of the general section which they found very well built up with residential buildings. There is a store building adjacent to the property and some neighborhood stores along Farmers boulevard to the north. The entire appearance of the section is of a residential character.

"At the hearing the board questioned whether the adjacent owners were fully aware of the application in view of the fact that up to December 13, 1933, there were no objections filed and only one consent. In the opinion of the committee, even in the absence of adequate expression in the general section this application should not be granted as they found no hardship had been shown within the meaning of the building zone resolution to warrant this variance as the plot is well adapted to a conforming use and excellently located for that purpose.

"It is, of course, true that temporarily, development is inexpedient, but in the opinion of the committee the installation of a gasoline station in the midst of this area of residential character will cause more hardship on surrounding property than the equivalent benefit that would accrue to this owner by the granting of the variance.

"At the hearing the applicant amended his application to include section 7, subdivision f, and the committee also considered the application under that section. They find, however, that owing to the general built up condition of the neighborhood that it could not be considered as undeveloped and that, therefore, section 7, subdivision f, could not apply.

"(Signed) HARRIS H. MURDOCK,
Chairman.

"JAMES P. HOLLAND,
"JOHN GUILFOYLE.
Committee of Inspection."

and

WHEREAS, this report recommended the denial of the application under section 21 deeming that applicant had failed to substantiate his basis of appeal.

Resolved, that the decision of the superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

300-33-BZ.

APPLICANT—Samuel Rosenblum, for Christina Coppola, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Queens boulevard and Simonson place (Block No. 2474, Lot No. 44), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: John J. Reardon and David Krause.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, and Commis-
sioners Connell, Holland and Guilfoyle.... 4
Absent: Chief McElligott..... 1

THE RESOLUTION—

(300-33-BZ)

WHEREAS, Samuel Rosenblum, for Christina Coppola, owner, filed, September 15, 1933, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Queens boulevard and Simon-

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son place (Block No. 2474, Lot No. 44), Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business district; Simonson place is in a residence district, and Grand avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 28, 1933 (re Plan No. 1768-33), reads:

"The erection of a gasoline station in a business district is contrary to section 4 of the Zone Law."; and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 54 ft. on Queens boulevard and 110 ft. on Simonson place, upon which it is proposed to erect a one-story, 22 ft. by 55 ft. in area, structure; to be used as grease pits, office and wash stand and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection and report by a committee of the board, and report of said inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

"Cal. No. 300-33-BZ.

"Premises southwest corner of Queens boulevard and Simonson place (Block No. 2474, Lot No. 44), Elmhurst, Borough of Queens.

"This is an application for a variance of the building zone resolution to permit a gasoline service station at the southwest corner of Queens boulevard and Simonson place. It is an irregular shaped plot, located in a business district but adjoining a residential district. There have been a number of applications before the board for non-conforming uses in this immediate vicinity, at least one of which was granted prior to the improvement of Queens boulevard, namely, a garage at the corner of Queens boulevard and Dongan avenue, the installation of which was permitted under Cal. No. 161-16-BZ.

"Two applications for gasoline service stations have been denied, one at the north corner of Queens boulevard and Maurice or 51st avenues and the other directly across from the premises under appeal and another at the northeast corner of Queens boulevard and Dongan avenue, across Queens boulevard from the case previously mentioned.

"This latter application is now before the court on a writ of certiorari and has been carried to the Appellate Division by the Corporation Counsel. There are also three existing gasoline stations within the area of notification.

"Queens boulevard is a thoroughfare 200 ft. in width which has been constructed at great expense and should be restricted against non-conforming use unless extreme hardship can be shown.

"This block in question has been owned by the applicant since 1927 and figures have been presented to show that an apartment house and that stores would not be profitable to erect. These figures could undoubtedly not be disputed during this time of financial stress when rents are at a low ebb.

"The committee which inspected this property on December 21, 1933, was of the opinion that there were ample existing gasoline service stations in the area. These gasoline stations all were in existence prior to the amendment of the building zone resolution prohibiting gasoline stations June 12, 1925.

"The committee also noted the residential development of the property to the south, which is not completely

indicated on the diagram filed with this application, in as much as the rules of the board do not require the inclusion of the entire area.

"On Queens boulevard, across Simonson place from the site under appeal, is a monumental building of the Elks Club, which is a desirable and important structure for this improved boulevard. The committee noted with regret that the club was occupying the area adjacent and at the side for parking of members' cars, a practice which may furnish a convenience to members but which has a deteriorating effect. This practice should be discontinued and the premises properly landscaped in keeping with the importance of the building.

"Taking all of these features into consideration, the committee is of the opinion that the application should not be granted as they could not find that sufficient hardship could be shown to warrant favorable action.

"(Signed) HARRIS H. MURDOCK,
Chairman.

"JAMES P. HOLLAND,
"JOHN GUILFOYLE.

Committee of Inspection."

and

WHEREAS, this report recommended the denial of the application under section 21 deeming that applicant had failed to substantiate his basis of appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed and that the application be and it hereby is denied.

319-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Nicholas Herman, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—234-22 Merrick boulevard, southwest corner of Laurelton parkway (235th street), (Block No. 3637, Lot No. 38), Laurelton, Borough of Queens.

APPEARANCES--

For Applicant: Joseph D. Nunan, Jr.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Connell, Holland and Guilfoyle.... 4

Negative 0

Absent: Chief McElligott..... 1

THE RESOLUTION—

(319-33-BZ)

WHEREAS, Joseph D. Nunan, Jr., for Nicholas Herman, owner, filed, October 13, 1933, an application under the building zone application to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises, 234-22 Merrick boulevard, southwest corner of Laurelton parkway (235th street), (Block No. 3637, Lot No. 38), Laurelton, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Merrick boulevard is a business and residence district; Laurelton parkway is in a residence district, and 134th road is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 7, 1933 (Plan No. N.B. 2109-33), reads:

"The erection of a gasoline service station in a business district and extending in a residence district is contrary to the Zone Law."; and

and

MINUTES

WHEREAS, the premises consist of a plot of ground having a frontage of 91 ft. on Merrick boulevard and a maximum depth of 203 ft. on Laurelton parkway (as widened). The northerly part of the plot (100 ft.) is in the business district and the remainder is in the residence district. Proposes to erect on the site a one-story structure 65 ft. by 20 ft. to be used as office and grease pits and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the board deemed that applicant had substantiated his basis of appeal under section 21 of the building zone resolution, and, therefore, is entitled to relief.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, permitting the plot under appeal to be occupied in part as a gasoline selling station, substantially in accordance with revised plans, marked "received December 27, 1933, on condition that the accessory buildings shall be located not nearer than 50 ft. from Merrick boulevard; that the accessory buildings shall not exceed one story in height and shall be generally of the architectural design shown on plans submitted, marked "received December 27, 1933"; that the accessory buildings shall be constructed of incombustible materials, except that the roof beams and roof boarding may be of wood; that the roofs shall be surfaced with slate or heavy asbestos shingles; that all ceilings shall be fire-retarded in accordance with the rules of the board of standards and appeals; that the doors and windows may be of wood; that there shall be no excavation under any section of the accessory buildings, except the pits for the greasing racks; that the front of the greasing racks shall be left open; that gasoline pumps shall be located not nearer than 25 ft. to the street building line of Merrick boulevard and shall be of a design conforming to that used on the Long Island State Parkway; that the entire plot, where not covered by accessory buildings, shall be leveled and roadways to the accessory buildings and gasoline pumps either cement paved or covered with cracked blue stone and the balance of the plot landscaped in a manner approved by the Long Island State Parkway, with a tennis court in the rear, as indicated on plans filed, marked "received December 27, 1933"; that this tennis court shall be maintained for the benefit of the neighboring residents and no fees shall be collected for its use; that there shall be not more than three entrances to this gasoline selling area, not over two from Merrick boulevard and not over one from the ramp leading to Laurelton parkway, not to exceed 25 ft. in width and not nearer than 10 ft. to the intersection formed by Laurelton parkway ramp and Merrick boulevard and not nearer than 10 ft. from the westerly interior lot line; that opposite these openings in the curb there shall be cuts in the street curb not exceeding 40 ft.; that on the westerly and southerly interior lot lines there shall be a substantial woven wire fence at least 6 ft. in height, constructed where indicated on plans filed, marked "received December 27, 1933"; that there shall be no portable gasoline pumps used on or from the premises; that there shall be no motor vehicle repair work permitted on the premises; that no open flame shall be permitted; that signs advertising non-conforming use shall be limited to the illuminated globes of the gasoline pumps and to flat wall signs permanently placed upon the accessory building, excluding all temporary signs; that complete working drawings shall be submitted to this board for approval and approved by the chairman in behalf of the board before plans are submitted to the commissioner of buildings, and that permits shall be obtained within three months and all work completed within nine months from the date of this action.

277-33-BZ.

APPLICANT—Casper P. Colla, for Anna Rocco, owner.
SUBJECT—Application for reopening—amendment and approval of plans—(re decision of the commissioner of buildings), under Sections 7b and 21, to per-

mit the extension, from an unrestricted use district into a business use district, of a proposed garage for more than five motor vehicles.

PREMISES AFFECTED—89-91 Withers street, north side, 80 ft. west of Leonard street (Block No. 2737, Lot Nos. 27 and 28), Brooklyn.

APPEARANCES—

For Applicant: Casper P. Colla.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Connell, Holland and Guilfoyle..... 4

Negative 0

Absent: Chief McElligott..... 1

THE VOTE TO AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners

Connell, Holland and Guilfoyle..... 4

Negative 0

Absent: Chief McElligott..... 1

THE RESOLUTION—

(277-33-BZ)

WHEREAS, this application, affecting premises 89-91 Withers street, north side, 80 ft. west of Leonard street (Block No. 2737, Lot Nos. 27 and 28), Borough of Brooklyn, was granted by the board November 14, 1933, on certain conditions, and applicant requested an amendment of the resolution and approval of the plans submitted.

Resolved, that the plans submitted by approved as complying with the resolutions and the resolution of the board of November 14, 1933, be amended only so far as it refers to the requirements for fireproof construction of the main roof over the garage, so as to permit use of junior beams and gypsum planks, as shown on plans herewith approved and, also, amended as to the window in the first story garage wall, opening upon the yard behind the frame dwelling, so as to permit in addition to the window therein, an additional window, as indicated on plans, not over 2 ft. by 4 ft. and opening into the first floor toilet, on condition that the toilet shall be enclosed in fireproof walls with fireproof-self-closing door; that, other than as amended herein, the resolution (adopted November 14, 1933) shall be complied with in all respects.

CASES DISMISSED.

Under the Building Zone Resolution.

The chairman called attention to the following cases, where notices of intention to appeal were offered for filing; but where, despite notices from this office, papers have not been completed, thus tying the hands of the administrative official in the performance of his duty:

(20-33-BZ)

Filed January 17, 1933—Premises 782-786 Hart street, south side, 200 ft. west of Knickerbocker avenue (Block No. 3255, Lot Nos. 20-21), Brooklyn. Decision of superintendent of buildings. Applicant Henry A. Urquhart. Dismissed for lack of prosecution.

(120-33-BZ)

Filed March 30, 1933—Premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Richmond. Decision of superintendent of buildings. Applicant Harry Hugger. Dismissed for lack of prosecution.

(257-33-BZ)

Filed July 24, 1933—Premises west side of 46th street, 100 ft. north of 43rd avenue (Block No. 156, Lot No. 5 and part of Lots 9 and 31), Woodside, Queens. Decision of commissioner of buildings. Applicant Max Bollay. Dismissed for lack of prosecution.

MINUTES

(315-33-BZ)

Filed October 6, 1933—Premises southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29, Astoria, Queens. Decision of commissioner of buildings. Applicant William J. Russell. Dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle..... 4
Negative 0
Absent: Chief McElligott..... 1

THE RESOLUTION—

WHEREAS, the foregoing applicants have filed with the board of standards and appeals applications under the building zone resolution affecting the premises in question; and

WHEREAS, the applicants have failed to complete their papers, though duly notified to do so.

Resolved, that the applications be and they hereby are dismissed for lack of prosecution.

APPEALS FROM ADMINISTRATIVE ORDERS.

270-33-A.

APPELLANT—John J. Dunnigan, for Robitzek Investing Company, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—2534 Eastern boulevard, south side, 440 ft. east of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42 and 150), The Bronx.

APPEARANCES—

For Appellant: John J. Dunnigan and Joseph Dusenbury.

For Administration: None.

ACTION OF BOARD—Laid over to January 26, 1934, at 2 p. m. for report of committee on inspection.

129-33-A.

APPELLANT—Arnold M. Goldstein, for William Betsch Company.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—222 Greenwich street (Block No. 84, Lot No. 42), Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle..... 4
Negative 0
Absent: Chief McElligott..... 1

THE RESOLUTION—

(129-33-A)

WHEREAS, the foregoing appellant has filed with the board of standards and appeals an appeal from an order and decision of fire commissioner; and

WHEREAS, the appellant has failed to complete his papers though duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

PETITION FOR VARIATION.

571-23-S.

PETITIONER—Robert T. Lyons, for 132 West 36th Street Corporation, owner.

SUBJECT—Application for reopening—amendment—re variation of the Labor Law as cited in decision of the superintendent of buildings.

PREMISES AFFECTED—132-4-6-8 West 36th street and 139-41-43-45 West 35th street (Block No. 811, Lot No. 51), Manhattan.

APPEARANCES—

For Petitioner: Joseph E. Hernon.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle..... 4
Negative 0
Absent: Chief McElligott..... 1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Connell, Holland and Guilfoyle..... 4
Negative 0
Absent: Chief McElligott..... 1

THE RESOLUTION—

(571-23-S)

WHEREAS, this petition affecting premises 132-138 West 36th street and 139-145 West 35th street (Block No. 811, Lot No. 51), Manhattan, was granted by the board January 2, 1924, on certain conditions, and owner through his agent, Joseph L. Hernon, requested an amendment of these conditions.

Resolved, that the resolution adopted by the board on January 2, 1924, *be amended* only so far as it refers to the floors on which factory occupancy is to be permitted, so that as amended, that portion of the resolution will read:

Granted, as to Item No. 3, on condition that the factory occupancy shall be restricted to the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth stories and that all windows on the front of the building on these stories shall be equipped with frames and sash in accordance with the requirements of the Labor Law, except as to the glazing, which may be polished plate glass not less than one-quarter inch in thickness and that all other openings on these floors shall comply with the requirements of the Labor Law, *on condition* that all requirements (of resolution adopted January 2, 1924), other than as amended herein, shall be complied with.

Adjourned, 5.45 p. m.

WILLIAM J. O'GORMAN, *Secretary*.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and
on uppermost stories on 8-inch systems

Fairbanks Company.....	81-20-SA
Walworth Company.....	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers.....	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)....	53-21-SA
Walworth Company.....	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers.....	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company.....	268-29-SA
Pratt & Cady.....	231-30-SA
Elkhart	15-31-SA

RULES

FUEL OIL RULES

INSTRUCTION AND INSTALLATION OF OIL BURNING EQUIPMENT AND STORAGE AND USE OF FUEL OILS

(217-21-SR)

Adopted by the Board of Standards and Appeals November 6, 1919; Amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 1, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 1932.

NOTE—In reprinting these Rules, no changes have been made, as to departmental jurisdiction, as changed by the Call Bill known as Chapter 764 of the Laws of 1933.

Article 1. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

DEVICES:

No person, firm, company or corporation shall within the limits of the City of New York use any device or apparatus for burning fuel oil within the meaning of these rules unless such device or apparatus shall have been approved by the Board of Standards and Appeals.

DISCHARGE LINE shall be the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS are buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

FILL LINE is the line between the fill box and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

Note—All fire retarding material to be applied as required by the rules for fire retarding material of the Board of Standards and Appeals.

FIRM FOUNDATION: A firm foundation is one which will carry the maximum load to which it shall be subjected without exceeding the safe bearing capacity of the soil.

FUEL OIL: Any liquid mixture, substance or compound, derived from petroleum, which does not emit an inflammable vapor below a temperature of 125° F. when tested in a Tagliabue open cup tester (Chapter X Article I Code of Ordinances).

The use of crankcase refuse oil as fuel oil is strictly prohibited.

GAUGING DEVICE: A means by which the level of fuel oil in a storage tank may be indicated.

HEATERS: A device for heating fuel oil for the purpose of decreasing the viscosity.

OIL BURNER: A device designed for the purpose of burning fuel oil.

OVERFLOW PIPE: A pipe which conveys by gravity the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

REMOTE CONTROL: A hand, electric, or mechanically operated device to shut off the oil supply.

RETURN LINE: A line for the purpose of conveying by-passed oil to a storage tank.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

SUPPLY LINE: That portion of the line between the storage tank and the oil pump inlet connection. Where a pump is not used it shall be that portion of the line between Storage Tank and the burner oil inlet connection.

SWING JOINT: A connection made in a pipe line by means of a combination of fittings so that the tank can settle naturally without breaking the line or impairing the efficiency of the connection.

Rule 2 (a). Manner of Storage for Fuel Oil.

Fuel oil, to be used for heating and power purposes, shall be at all times stored in metal tanks with all openings or connections through the tops of the tanks.

(b). Oils Not Permitted.

Oils derived from or including petroleum that have a flashpoint below a temperature of 125 degrees Fahrenheit, when tested in a Tagliabue open cup tester, shall not be used as a fuel to produce heat or power.

(c) Fuel Oil, within the meaning of these rules, having a flashpoint between 125 degrees and 150 degrees F may be used for heating when the quantity stored is limited as prescribed in rule 4, section 1, subdivision i. If used in tenement houses, commercial or industrial plants, a certificate of fitness for the operator of the plant shall be required as per Rule 15.

Rule 3. Location, Protection and Capacity of Tanks for the Storage of Fuel Oil.

(a) In all buildings fuel oil storage tanks over 275 gallons shall be buried below the floor of the lowest story or, if in the judgment of the Superintendent of Buildings the burial of tanks is not practicable by reason of soil, foundation or structural conditions, the tanks may be placed in the lowest story, subject to the requirements hereinafter set forth.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway.

Rule 4. Location, Protection and Capacity of Tanks for the Storage of Fuel Oil.

Section 1. Inside of Buildings Above Ground.

(a) Tanks having a capacity of 275 gallons or less may be installed in lowest story of dwellings as outlined in these Rules when located at least ten (10) feet, measured horizontally from any fire or flame, provided such tank shall be mounted on substantial incombustible supports and firmly anchored to floor and ceiling or floor and wall, or to a weight greater than the buoyancy of tank when empty to prevent floating; such support to meet the approval of the Fire Department. When this type of installation is used, the provisions of subdivisions b to j shall not apply. This subdivision shall apply only to one and two-family dwellings.

(b) Where tanks cannot be buried and are located in the lowest story of any building they shall be placed in an enclosure, the walls, floor and roof of which shall be constructed of reinforced concrete not less than eight (8) inches in thickness, or twelve (12) inches of masonry and of dimensions six (6) inches greater on all sides than the outside dimensions of the tank.

RULES

(c) The walls of the enclosure shall be carried up to a height not less than one (1) foot above the tank and roofed over with reinforced concrete or similar fireproof construction capable of sustaining a load of three hundred (300) pounds per square foot.

(d) The roof of every enclosure shall contain a manhole with fireproof cover properly weighted, but not fastened, placed immediately above the manhole in the top of the tank.

(e) A space of least two (2) feet shall be maintained between the top of the roof of the enclosure and the ceiling immediately above.

(f) The space between the tank and the walls and roof of the enclosure shall be completely filled with dry upland sand or earth well tamped.

(g) Not more than one tank shall be placed in an enclosure.

(h) In frame buildings the total storage capacity of tanks shall not exceed five thousand (5,000) gallons.

(i) In non-fireproof and fireproof buildings, if tanks properly enclosed or covered as above required are located in a fireproof or detached room which is cut off from the rest of the building vertically and horizontally in an approved manner and if such room is ventilated to the outside air, the total storage capacity shall not exceed fifty thousand (50,000) gallons, with an individual tank capacity of not exceeding twenty thousand (20,000) gallons.

(j) In dwellings as defined in these rules the total storage capacity of fuel oil with flashpoint between 125 degrees and 150 degrees F. shall not exceed 1,100 gallons.

Section 2. Inside Buildings Below Ground.

(a) When a tank is buried beneath a building its capacity may be increased one hundred (100) per cent above that allowed for an inside tank as established in connection with buildings of such construction as specified in Rule 4, Section 1 (h) and (i).

(b) Tanks shall be buried underground below the level of any piping to which they may be connected with the tops of the tanks not less than two (2) feet below the surface of the ground; or, in lieu of the two (2) foot cover of earth, tanks may be buried under twelve (12) inches of earth, covered by at least six (6) inches of concrete which shall extend at least one (1) foot beyond the horizontal outline of tanks in all directions. Where necessary to prevent floating, tanks shall be securely anchored.

(c) Tanks shall be set on concrete or metal cradles which shall be placed on firm soil and surrounded with soft earth or sand. Tanks shall be completely encased with six (6) inches of concrete when buried in soil the nature of which would make additional protection necessary.

Section 3. Outside of Buildings Above Ground.

(a) Where vertical tanks of one hundred and fifty thousand (150,000) gallons capacity or less are located outside of buildings and placed above ground, the tanks shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters, and in no case less than ten (10) feet, from the line of adjoining property, or the nearest building or adjacent tank.

(b) Where horizontal tanks of one hundred and fifty thousand (150,000) gallons or less capacity are located outside of buildings and placed above ground, the tanks shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters measured from the end of the tanks and not less than two (2) tank diameters measured from the side of the tanks, and in no case less than ten (10) feet from the line of adjoining property, or the nearest building or adjacent tank.

(c) Where existing outside above ground storage tanks of one hundred and fifty thousand (150,000) gallons capacity or less have been placed closer together than one and one-quarter ($1\frac{1}{4}$) tank diameters, a fire wall shall be

built to a height of at least two (2) feet above the height of the highest tank completely separating the tanks for their full diameters or lengths.

(d) Tanks placed above ground shall be set on firm foundations and, if elevated, their supports shall be constructed of fireproof materials. All tanks shall be electrically grounded.

Section 4. Outside of Buildings Below Ground.

(a) Tanks shall be buried underground below the level of any piping to which they may be connected, with the tops of the tanks not less than two (2) feet below the surface of the ground; or, in lieu of the two (2) foot cover of earth, tanks may be buried under twelve (12) inches of earth, well tamped, covered by at least six (6) inches of concrete, which shall extend at least one foot beyond the horizontal outline of tanks in all directions. Where necessary to prevent floating, tanks shall be securely anchored.

(b) Tanks shall be set on concrete or metal cradles which shall be placed on firm soil and surrounded with soft earth or sand well tamped. Tanks shall be completely encased with six (6) inches of concrete when buried in soil the nature of which would make additional protection necessary.

Section 5. Common Fill and Header Line.

Where a battery of tanks is installed containing the same degree of oil a common fill and header line may be installed provided the area of the fill or header line is equal in sum total to the area of the branch fill lines, and each branch line is provided with a shut-off valve, not more than four (4) tanks will be permitted in any one battery.

Section 6. Embankments and Dikes.

(a) Above ground storage tanks shall be protected by an embankment or a dike. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded, and shall be at least four (4) feet high, but in no case higher than one-quarter ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen (16) feet. Embankments or dikes shall be made of earth-work with clay core; of masonry or of impervious reinforced concrete. Earth-work embankments shall be firmly and compactly built of good earth from which stones, vegetable matter, etc., have been removed, and shall have a flat section at top of not less than three (3) feet and a slope of at least one and one-half ($1\frac{1}{2}$) to one (1) on both sides. Concrete or masonry dikes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded.

(b) Embankments or dikes shall be continuous and unpierced. Piping shall be carried either over or under embankments or dikes in such a manner as not to interfere with the efficiency of the enclosure.

Rule 5. Fire Extinguishing Equipment.

(a) Every tank with a capacity of over five thousand (5,000) gallons inside of buildings and ten thousand two hundred (10,200) gallons outside of buildings shall be equipped with a system of steam pipes, blanketing gas or other approved system for use in case of fire, so arranged and installed as to adequately protect the buildings or surrounding property.

(b) When steam is used, the steam supply pipe shall not be less than one-half ($\frac{1}{2}$) inch in size. The boilers shall be conveniently located, and the steam to the extinguisher lines shall be controlled by easily accessible valves.

(c) Near each boiler or furnace of fuel oil burning unit there shall be kept ready for use two portable fire extinguishers of not less than one (1) quart capacity each or other equivalent fire extinguishers for extinguishing oil fires.

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Rule 6. Material and Construction of Tanks for the Storage of Fuel Oil.

Section 1. Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

(a) All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, etc. All steel must be new, in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

(b) All tanks must be welded, riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates.

(c) Thickness of cylindrical tanks:

Tanks 36 in. in diameter and less— $\frac{1}{4}$ in. shell, $\frac{1}{4}$ in. heads.

Tanks 37 to 72 in. in diameter— $\frac{1}{4}$ in. shell, $\frac{5}{16}$ in. heads.

Tanks 73 to 120 in. in diameter— $\frac{5}{16}$ in. shell, $\frac{3}{8}$ in. heads.

Tanks over 120 inches in diameter to be of $\frac{3}{8}$ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

(d) All cylindrical tanks shall preferably be built with dished heads. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

(e) Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. diameter rivets $2\frac{1}{2}$ in. pitch.

Section 2. Rectangular Tanks.

(a) All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

(b) Corners may be made up by bending the plates or by the use of angles.

(c) Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

(d) All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural members, which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tank, as the case may be.

(e) When structural members are used, such as angles, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the member. In no case shall the rivets be in excess of six (6) inches center to center on these members.

(f) When structural reinforcing members are tied together with braces, in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken on the minimum net section.

(g) If structural members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

(h) The fastening between these members and the sides of the tank must in all cases be such that it will

develop the full net sections of the bars so that the bar will break before the connection will let go.

Section 3. Oval or Obround Tanks.

Oval or obround tanks not exceeding a capacity of 275 gallons may be used in dwellings as defined in these rules when constructed of No. 10 gauge open hearth steel free from laminations or cracks. The tanks to be equipped with flanged and dished heads. The radius of dishing of heads to be equivalent to the small diameter of tank, a $\frac{1}{2}$ -inch flange is to be used.

Section 4. Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

(a) Vertical tanks located outside of buildings above ground shall be built of steel plates of the quality required for cylindrical tanks.

(b) The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

r equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

(c) Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

(d) In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

(e) Tanks for storage of oil shall be constructed in accordance with the requirements of this rule, except that tanks of a capacity of over 60 gallons and not more than 550 gallons may be constructed of steel not less than $\frac{3}{16}$ inches in thickness.

(f) Auxiliary supply tanks of 60 gallons or less capacity may be constructed of brass, copper, steel or wrought iron of not less than No. 14 U. S. Gauge.

Section 5. Welding.

(a) Where welding is to be used for a part or for the entire tank, the tank shall be fabricated as required under Rule 6, Section 1.

(b) All welded seams of plates shall be lapped or butted.

When the joint is a lapped joint, the sheet shall be lapped not less than two inches and welded both inside and outside. The plates shall be pulled up tight, metal to metal, before welding and kept tight together during welding. Both inside and outside welds shall be of full 45 degree fillet.

Where a butt joint is used, it shall be of the 90 deg. double V type welded both inside and outside and reinforced to a total thickness of at least one and one-half times the plate thickness.

(c) All heads shall be flanged, the straight part of the flange being not less than as follows:

For $\frac{3}{16}$ inch heads, $1\frac{1}{4}$ inch flange.

For $\frac{1}{4}$ inch heads, 2 inch flange.

For $\frac{5}{16}$ inch heads, 2 inch flange.

For $\frac{3}{8}$ inch heads, $2\frac{1}{4}$ inch flange.

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For heads over 120 inches diameter the flange shall be increased in length by one-half inch for each increase in diameter of 2 feet.

Where heads are set into the shell, they shall be a driving fit and the shell shall fit the head closely all around. If of over 1,100 gallon capacity they shall be welded inside and outside with full fillet welds. If of 1,100 gallon capacity or less and not over 48 inches in diameter, welding on the outside only will be sufficient.

Where the heads are butt welded to the shell, the head welds for tanks of 1,100 gallon capacity or less and not over 48 inches in diameter, shall be of the 90 deg. single V type welded entirely through and reinforced not more than one-quarter of the shell thickness. For tanks of over 1,100 gallon capacity the head welds shall be of the 90 deg. double V type welded inside and out and reinforced to a total thickness of not less than one and one-half times the shell thickness.

(d) Where tanks are made up of two or more rings the welded longitudinal joints of adjacent sections shall break joints. At no point of a butt girth joint shall the sheet on one side be offset with the sheet on the other side in excess of one-half of the thickness of the plate. All butt girth joints shall be welded inside and out and reinforced to at least one and one-half times the plate thickness, except that for tanks of 1,100 gallon capacity or less and not over 48 inches diameter, they may be of the same construction as the head seams.

(e) Where braces are welded to the plates the welding shall be done in such a manner as to develop the full net sections of the braces; in other words, the brace will break before the connection will let go.

Braces made in more than one piece shall not be joined together by any method of welding.

Section 6. Rust Proofing.

All tanks shall be thoroughly coated on the outside with tar, asphaltum or other suitable rust resisting material. Where soil contains corrosive substances, special protection may be required. Tanks shall not be coated until after the necessary tests have been made.

Section 7. Manhole Covers.

Manhole covers shall be of cast iron, cast steel or of the same material as used in the construction of the tank enclosure. On tanks placed inside buildings, the manhole shall be bolted or otherwise secured to the tank and made gas tight. All tanks over 1,100 gallons capacity shall be provided with a manhole of at least 11 in. by 16 in.

Rule 7. Tests of Tanks and Piping for the Storage of Fuel Oil.

Tanks and piping to burner shall be tested hydrostatically or with oil at a pressure of not less than 10 pounds per square inch. Those parts subjected to a pressure exceeding 10 pounds per square inch shall be tested at pressure of not less than $1\frac{1}{2}$ times the maximum pressure to which it is subjected. The hydrostatic pressure on a tank shall be determined by measuring in feet the height from the lowest point in the tank to the highest oil reservoir from which the tank may be filled. This distance divided by 2.3 for water or its equivalent for oil will give the equivalent pressure in pounds per square inch at the bottom of the tank. Tanks and piping may be tested with oil provided the installation is complete and the pressure applied at the burner end of the supply line. There shall be no fire or flame in the room or rooms in which the test is being conducted or when repairs are being made to defective tanks. All tests shall be conducted in the presence of a representative of the Fire Commissioner and shall be continued for thirty minutes. No repairs shall be made to defective tanks within twenty-four hours of removal of oil from tank and purging of same of all explosive gases by steam, air or water.

The contractor shall furnish all the necessary equipment for conducting the tests.

Rule 8. Piping for Fuel Oil.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike

manner and provision made for expansion, contraction and settlement. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. Where the top of the tank is below the level of the burner oil inlet connection, the supply line from the tank shall be run above the level of the bottom of the tank so as to prevent syphoning. Cross connections permitting gravity flow from one tank to another are prohibited. All pipes connected to tank except measuring well or gauge pipe shall be provided with double swing joints at tank. All threaded joints shall be made tight with litharge and glycerine or equivalent suitable pipe compound.

(b) All piping shall be of standard full weight brass, copper, wrought iron or steel for working pressures less than one hundred (100) pounds per sq. in. for working pressures in excess of one hundred (100) pounds per sq. in., extra heavy seamless drawn tubing and drop forged fittings shall be used. No pipe less than one-half ($\frac{1}{2}$) inch inside diameter shall be permitted.

(c) All connections shall be tight and shall have well-fitted joints.

(d) Tubing and couplings, where used in connection with mechanical burners, shall be capable of withstanding a pressure equal to the piping to which it is connected and shall be constructed of fire resisting materials. No soldered connection shall be used. The length of tubing shall not exceed that required for direct connections to coupling.

(e) Overflow pipes, when required, shall be not less than one size larger than supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve. The relief line shall be returned to storage tank or to supply line near pump. There shall be no shut-off valves in the relief line.

(b) All heaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than $1\frac{1}{2}$ times the maximum working pressure of the system.

Section 3. Fill Pipes.

(a) Each tank shall be provided with a separate fill pipe, except as otherwise stated in these rules, which shall be carried below the supply line in the tank or otherwise trapped to prevent escape of oil vapor. The fill pipe shall be made up with screwed or flanged fittings securely held in place and shall be oil tight. Each fill pipe shall be provided with means for locking and located at or above grade outside of the building within thirty (30) feet from curb or private right-of-way and located as remote as practicable from any building opening, subway gratings or elevated column, but not less than three (3) feet therefrom.

(b) Where the top of the tank is above the fill box the fill pipe shall be connected to the top of the tank and be provided with a gate valve sealed closed when not in use and a swing check valve, both gate and check valve to be located at the fill box.

(c) Where there is a storage system of volatile inflammable oil, and a storage system for fuel oil to be used in the same premises, the fill boxes shall terminate as far as possible from each other, and the cover of the fuel oil fill box shall be painted green and cover of gasoline fill box red, or covers of fill boxes to have one inch (1") raised letters stamped thereon reading—Fuel Oil, Gasoline.

(d) The terminal of fuel oil fill pipe shall be provided with a left handed thread, and the fill pipe fitting to be of a different size than that required for the fill pipes to gasoline tanks.

Section 4. Vent Pipes.

(a) An open vent pipe of standard wrought iron or steel without trap and draining to the tank shall be provided for each tank. The lower end of the vent pipe shall not extend through the top of the tank more than 1 inch.

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Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of tanks designed to hold the same degree of oil is installed, vent pipes may be run into a main header. Connections to the header shall not be less than one foot above the level of the top of the highest reservoir from which the tanks may be filled. The main vent pipe and header shall be of an area equal to the aggregate area of vent pipes connected thereto.

(c) Vent openings in tanks shall be screened by 40 mesh non-corrodible wire screen, and shall be of sufficient area to adequately vent the tank during the filling operation. Vents shall be not less than two (2) inches in diameter for tanks over 1,100 gallons capacity, and in no case less than one and one-quarter (1¼) inches in diameter.

(d) Vent pipes shall be provided with weather-proof hoods and terminate outside the building above the street surface, not less than six (6) feet nor more than twelve (12) feet above the fill pipe. Such vent outlet shall not be located within two (2) feet in any direction of a window or other opening, or an exterior stairway, or fire escape, nor shall vent pipes be placed in elevator or dumb-waiter shafts, or in a closed court.

(e) If compelled, because of structural conditions, to carry the vent outlet higher than twelve (12) feet above the fill box, and if the fill lines are connected to tank trucks by tight connections and filled by pressure, a one (1) inch line shall be connected to tank and shall parallel the fill line and terminate in the fill box with unthreaded end. A check valve shall be installed in the line so as to permit excess oil in the tank to flow to the fill box and shall be so set as to prevent the passage of vapor to the street.

Section 5. Return Line from Burners.

Return lines from burners, where used, shall not be smaller in diameter than the discharge outlet from the pump. They shall be connected into the supply line near the pump or into the storage tank without shut-off valve in the return line. No oil shall be returned to the storage tank at a temperature higher than one hundred and forty (140) degrees Fahrenheit.

Section 6. Heating Coils in Tanks.

All heating to reduce viscosity of fuel oils in storage tanks in any building shall be only by means of hot water coils thermostatically controlled and the oil shall not be heated above one hundred and forty (140) degrees Fahrenheit.

Section 7.

Scavenging Line. When a scavenging line is installed it shall terminate outside of the building and shall be capped oiltight when not in use.

Rule 9. Valves and Control of Flow for Fuel Oil.

(a) In all installations a shut-off valve shall be provided at or on each burner. Where the top of the storage tank is located above the oil inlet connection to the burner, a shut-off valve shall be provided in the supply line inside the building as near the tank as practicable.

(b) In systems where either steam or air is used for atomizing the oil, the oil and atomizing supply shall be interlocked so that in case of interruption of the atomizing supply, the supply of oil will immediately be cut off.

(c) Automatic by-pass valves shall be set at not more than fifty (50) per cent above the maximum working pressure. This rule shall not apply to burners and pumps approved as a unit when provided with a pressure relief device.

Rule 10. Oil Level Indicating Device for Fuel Oil.

Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of fuel oil or vapor. Test wells shall not be permitted

in tanks located inside the building. Test wells when located outside the building shall be capped oil tight and kept closed when not in use.

Rule 11. Pumps for Fuel Oil.

(a) Pumps shall be of a recognized standard mechanical construction approved by the Board of Standards and Appeals.

(b) Pumps shall be installed in duplicate where fire protection equipment is dependent on the use of fuel oil for heating or steam.

(c) Pumps located in the same room where burners are installed shall be provided with a remote control.

(d) Pumps used in connection with outside above ground storage tanks shall be located outside embankment walls, and at such a point that they will be accessible at all times, even if the oil in the tank or reservoir should be on fire.

(e) Pumps may be located below the top of the oil storage tank or tanks where heavy oil is used having a gravity of not more than eighteen (18) degrees Baume and where the top of the tank or tanks is not more than ten (10) feet above the pump or pumps.

(f) Oil pumps used for supplying oil to the burners shall be rigidly fastened in place and secured against leaks.

(g) Where a pump is part of a burner unit and is used for atomizing purposes only, an additional approved pump may be used without the disconnection of the unit.

Rule 12. Burners for Fuel Oil.

The burner mechanism shall be of a recognized type approved by the Board of Standards and Appeals. In dwellings the burner shall be equipped with an overflow attachment or an automatic control to prevent flooding.

Where an approved burner unit includes a pump as part of the unit, said pump or burner may be disconnected and used in conjunction with any other approved burner or pump.

A remote control shall be provided whereby the flow of oil to any burner can be stopped and such control shall be located either inside or outside the entrance to the room in which the burner is located and as close to such entrance as practicable.

The damper shall be so constructed that it cannot completely cut off the passage of the flue gases at any time.

Adequate ventilation at least equivalent to area of the smoke pipe at the point where it enters the flue shall be provided in all rooms in which burners are installed.

Rule 13. General Devices for Fuel Oil.

(a) Devices which are subject to breakage and escape of oil shall be prohibited.

(b) When preheaters are used thermometers with large clear reading scales, placed in thermometer wells with screwed top connections, shall be installed at convenient and prominent positions in the oil supply lines between the service tank and the pumps, and also between the pumps and the burner, to indicate the temperature of the oil.

Rule 14. Instruction Cards.

Cards giving complete instructions for the care and operation of the fuel oil system shall be permanently fixed near the apparatus and maintained in readable condition.

Rule 15. Operation of Plant, Other Than in Dwellings, Using Fuel Oil.

No fuel oil burning plant, other than in dwellings as defined in these rules, shall be operated unless in charge of a person holding a certificate of fitness as issued by the fire department. A certificate of fitness will be required for each person who is directly in charge of the operation of the plant at any and all times.

Rule 16. Installation.

No fuel oil installation shall be operated or oil placed in the system until after a permit has been issued by the

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Fire Commissioner. Plans for each fuel oil installation, except in dwellings as defined in these rules, shall be submitted to the Fire Commissioner for approval, together with a Certificate of the Superintendent of Buildings indicating that the proposed construction of the enclosure and the location of the tanks are in accordance with the requirements of the Building Code and these Rules.

Rule 17. Auxiliary Tanks for Fuel Oil.

(a) Auxiliary supply tanks may be of the gravity type if suitable automatic safeguards to prevent abnormal discharge of oil at the burner are provided. The total capacity of such tank or tanks in any building shall not exceed 60 gallons.

(b) Auxiliary supply tanks, or storage tanks, shall not be located within ten (10) feet of any fire or flame, and where practicable shall be placed at an interior angle of the cellar, formed by the walls of the building.

(c) Auxiliary supply tanks shall be substantially and rigidly supported on metal frames or cradles and secured by 2x½-inch straps riveted or bolted to frame and securely fastened to wall of building by rigid metal braces.

(d) Where only an auxiliary tank as prescribed in these rules is used it shall in addition to complying with the requirements for auxiliary tanks comply with all requirements for the protection of a storage tank other than the enclosure.

(e) Auxiliary supply tanks or storage tanks not exceeding 275 gallons may be of the gravity type if suitable automatic safeguards to prevent abnormal discharge of oil at the burner are provided. When this method of installation is used the connection for discharge of tank may be made at bottom of tank. The total capacity of such auxiliary supply tank or tanks in any building shall not exceed 275 gallons. This rule applies only to one and two-family dwellings.

Rule 18. Pilot Light.

Automatic systems, unless electrically ignited, shall be so designed that the flame cannot be extinguished by operation of the automatic control valve and a pilot light of adequate intensity shall be provided in each combustion chamber, so arranged as not to be easily extinguished.

Rule 19. Furnaces and Ranges.

Stoves, ranges, hot air furnaces or other devices, originally designed for use of fuel other than oil, shall not be used in connection with oil burners unless spaces in which vapors might collect are adequately vented, and if used shall be of such construction as to withstand the maximum temperature which the oil burning device to be installed may generate.

Rule 20. Fire Protection.

(a) In dwellings, as defined in these rules, any woodwork, wooden lath and plaster partition or other combustible material within four (4) feet of the sides or back or eight (8) feet from the front of the heating apparatus shall be covered with fire retarding material. Above the heating apparatus there shall be constructed a ceiling of fire retarding material (unless it be of fireproof construction) said ceiling shall extend at least four (4) feet beyond the sides and back and eight (8) feet from the front.

(b) In all buildings, other than in dwellings as defined in these rules, and garages the fire protection shall consist of either a heating apparatus room constructed of fireproof partitions of not less than four (4) inches in thickness with all openings protected by fireproof self-closing doors and ceilings protected by fire retarding material; or the entire ceiling, if not of fireproof construction, shall be protected by fire retarding material, and all vertical openings leading from the elevation on which the heating ap-

paratus is located shall be enclosed by fire retarding materials with openings protected by fireproof self-closing doors.

(c) No combustible material shall be maintained within ten (10) feet of a heating apparatus, unless protected or separated by fire retarding or fireproof material.

(d) The ceiling, unless of fireproof construction, directly over and for a space of two (2) feet beyond each side of any smoke pipe, shall be protected with fire retarding material, and in addition any smoke pipe, if within 9 inches of any combustible ceiling, shall be protected with a covering of 1-inch air cell asbestos, or its equivalent.

(e) The floor of all boiler rooms must be of fireproof construction.

Rule 21. Systems Prohibited.

The use of auxiliary tanks of the pressure type between pump and burner unit is prohibited. Pressure in storage tanks for the purpose of discharging oil is prohibited.

Rule 22. Use of Fuel Oil.

(a) These Rules shall not apply to gas companies storing or using fuel oil in the manufacture of illuminating gas for public use.

(b) The use of oil stoves, oil heaters or oil lamps commonly used for household purposes which employ a wick to absorb such oil in its combustion shall not be prohibited; or shall the use of such oil be prohibited when used in a plumber's torch or similar apparatus.

(c) The use of oil burning heaters using 38 to 42 Baume oil not employing a wick and when feed tanks of heaters do not exceed a total capacity of six gallons and when heater is not used for cooking purposes will not be prohibited when burners are of a type approved by the Board of Standards and Appeals and meet with the following requirements:

1. Heaters shall be firmly anchored to the floor, set level, with the floor beneath heater protected by an asbestos or equivalent shield.

This shield to extend in all directions at least 12" beyond the outside of complete unit.

2. The heater shall be directly connected to a smoke flue, the area of any damper not to exceed 80% of the area of smoke flue.

3. The oil tank of the heater shall be filled from storage located outside room in which heater is installed.

4. This subdivision of Rule 22 shall not in any way set aside or waive provisions in these rules governing storage tanks, except as follows:

First—Outside Buildings.

Permit storage of not more than fifty-five gallons maintained in metal shipping container equipped with approved hand pump.

Second—Inside Buildings.

Permit storage of not more than 275 gallons if installed and maintained in compliance with Rule 17 of these rules and equipped with an approved hand pump.

5. This subdivision applies only to dwellings as defined in these rules and prohibits the use of more than one heater in any one room.

6. Heater installation shall comply with the requirements of the building code and heater shall not be connected in any manner to hot water, steam, or hot air furnace flues.

Rule 23. Modification.

When for any reason it may be impracticable to comply strictly with the foregoing rules the fire commissioner shall have power to modify their provisions so that the spirit and substance thereof shall be complied with. Such modification shall be endorsed upon the permit over the signature of the fire commissioner or designated representative of the fire commissioner.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

1-22-SR—Proposed Amendment to "Standpipe"—"Fireline" Rules.

Administrative Applications.

7-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

9-31-A—2495-2505 Atlantic avenue, northeast corner of East New York avenue, Brooklyn.

28-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

14-27-SA—Elkhart Flush Type Siamese, approval of.

13-28-SA—Ford Automatic Pressure Regulating Valve, approval of.

12-29-SA—Safe-Way Outlet Pressure Reducing Valve, approval of.

10-29-SA—A Diamond "S" 250 lbs. 2½-inch Angle Globe Water Hose Valve, approval of.

80-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A", approval of.

59-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line, approval of.

32-31-SA—Ray-Dio Sunshine Oil Burner, approval of.

50-31-SA—Lunkenheimer 2½-inch, Figure No. 8610, Bronze Angle Hose Valve, 150 Pounds Water Working Pressure, approval of.

51-31-SA—Lunkenheimer 2½-inch, Figure No. 8613, Bronze Angle Hose Valve, 250 Pounds Water Working Pressure, approval of.

79-31-SA—The Lenahan Gas & Steam Coil for Garage Use, approval of.

34-31-SA—Page Fuel Burner, approval of.

25-32-SA—Beacon Oil Burner, approval of.

209-32-SA—Crocker 4-inch Siamese, approval of.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida, approval of.

286-32-SA—Hubbard Silent Electric Oil Burner, approval of.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner, approval of.

501-32-SA—Diard Oil Burner, approval of.

528-32-SA—Weldon Extinguisher, approval of.

561-32-SA—Wills Fuel Oil Burner, approval of.

592-32-SA—The Ameroil Range Burners, approval of.

615-32-SA—Metro Oil Burner, approval of.

23-33-SA—Sunrex Range Oil Burner, approval of.

39-33-SA—Cutler-Hammer, Inc., Enclosed High and Low Water Float Switch for Standpipe Alarm Systems (Bulletin No. 10041), approval of.

62-33-SA—Florence Oil Heater, Model KC-8, approval of.

82-33-SA—Inferno Oil Burner, approval of.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns, approval of.

100-33-SA—Blaw Knox (Madsen) Fuel Oil Pump, approval of.

101-33-SA—Blaw-Knox (Madsen) Fuel Oil Burner, approval of.

126-33-SA—Tower Range Oil Burner, approval of.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve, approval of.

164-33-SA—Firemaster Fire Extinguisher, approval of.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner), approval of.

193-33-SA—Nemes-Gluck Oil Burner, approval of.

195-33-SA—Bullet Automatic Oil Burners, Models A and B, approval of.

204-33-SA—Mohawk Oil Burner, approval of.

218-33-SA—Presto Gas Pressing Machine Burner No. 10, approval of.

222-33-SA—Dowie Combination Anti-Syphon Valve, approval of.

231-33-SA—Signal Engineering & Manufacturing Co. Interior Fire Alarm Box, approval of.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe, approval of.

244-33-SA—Petro Oil Burner, Model W-2, approval of.

245-33-SA—Petro Oil Burner, Models W-1 and W-1½, approval of.

271-33-SA—Perfect-Pantex Oil Burner, approval of.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters, approval of.

333-33-SA—Jacobsen Balanced Oil Burner, approval of.

341-33-SA—Volcano Automatic Oil Burner, Models EW-1, EW-2 and EW-3, approval of.

349-33-SA—Herco Oil Burner, approval of.

355-33-SA—Lange Economical Oil Burner, approval of.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1, approval of.

360-33-SA—Trane Climate Changer Oil Burner, approval of.

369-33-SA—S-K, Model F, Oil Burner, approval of.

372-33-SA—Preferred Oil Burner, approval of.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or department actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

RULES

USE OF HYDRATED LIME IN CONCRETE

Adopted by the Board of Standards and Appeals, April 9, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1932.....	261	Withdrawn	
Cases filed up to December 27, 1933.....	383	Dismissed	
Restored to Calendar.....	106	Denied	
		Granted	
		Granted on condition.....	
		Appliances approved	
		Appliances dismissed, disapproved or withdrawn....	
		Rules approved	
		Rules disapproved, rescinded or withdrawn.....	
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	336	Requests to reopen granted.....	
Requests to amend.....	27	Requests to reopen denied.....	
Requests for modification.....	45	Requests to amend granted.....	
Requests to rescind.....	3	Requests to amend denied.....	
Requests for extension of time.....	75	Requests for modification granted.....	
Requests for extension of permit.....	13	Requests for modification denied	
Requests for mechanical installations.....	0	Requests to rescind granted.....	
Requests for approval of plans.....	17	Requests to rescind denied.....	
Administrative requests	0	Requests for extension of time granted.....	
Requests for interpretation.....	26	Requests for extension of time denied.....	
Total	1292	Requests for extension of permit granted.....	
Disposed of	1086	Requests for extension of permit denied.....	
Cases pending December 27, 1933.....	206	Requests to install granted.....	
		Requests to install denied.....	
		Plans approved	
		Plans disapproved	
		Administrative requests granted.....	
		Administrative requests denied or withdrawn.....	
		Interpretations	
		Requests withdrawn or dismissed.....	
		Total	10

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First. That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second. That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third. That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth. That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth. That the business of the board is to dispose of cases promptly, for the reason that the pendency of appeal or petition ties the hands of the administrative official in enforcing his order. therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data. or by any other method of delay.

Sixth. That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

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CITY OF NEW YORK

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WILLIAM J. O'GORMAN, Secretary

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, January 3, 1934, 2 P. M.

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Approved Fireline Hose Valves.

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Approved Burners for Domestic and Commercial Use.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, January 8, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, January 15, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitioners will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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DOCKET.

New Cases Filed up to January 3, 1934.

Cal. No.	Department.	Premises Affected.
389-33-BZ.....	D.B.B....	115-117 Manhattan ave. (Block 3060, Lot 19), Brooklyn, Applic. 15224-33
388-33-A.....	F.D.....	Transportation and Sale of Volatile Inflammable Oil from Wagon, Throughout The City
387-33-BZ.....	D.B.Q...	122-12 25th road (Block 218, Lot 29), College Point, Q., Decision
386-33-BZ.....	D.B.Bx..	Northeast corner of Eastern blvd. and Soundview ave. (Block 3722, Lot 18), Bx., N. B. 469-33
385-33-A.....	D.B.M...	387-393 4th ave. (Block 883, Lot 1), Man., F-7429
384-33-BZ.....	D.B.Q....	Southeast corner Cross Island blvd. & 195th st. (Block 976, Lot 1), Auburndale, Q., N. B. 2576-33

Restored to Calendar.

148-33-BZ.....	D.B.Q....	Southwest cor. Hollis ave. & Cross Island blvd. (Block 1882, Lot 106), Hollis, Q., Plan No. 235-33
198-33-BZ.....	D.B.M...	West Side Haven ave., 217'-4 1/2" North of W. 172d st. (Block 2139, Part of Lots 275 & 357), Man., N. B. 51-33

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

	Last Publication in Bulletin
Certificate of Occupancy, approved forms.....	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	Jan. 9, 1934—Vol. 19 No. 2
Elevator Rules.....	Dec. 12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept. 26, 1933—Vol. 18 No. 39
Fire Drill Rules.....	May 30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.	Nov. 28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of.....	July 11, 1933—Vol. 18 No. 28
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4 No. 3
Fuel Oil Rules.....	Jan. 2, 1934—Vol. 19 No. 1
Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10 No. 14
Hatchway Protection.....	June 5, 1928—Vol. 13 No. 23
Paint, Varnish and Lacquer Spray- ing Rules.....	June 13, 1933—Vol. 18 No. 24
Plumbing Rules.....	Nov. 7, 1933—Vol. 18 No. 45
Procedure, Rules of.....	June 20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O.	Apr. 18, 1933—Vol. 18 No. 16
Smoking in Factories, Rules for.....	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules.....	Dec. 6, 1932—Vol. 17 No. 49
Standpipe-Fireline Rules.....	Sept. 26, 1933—Vol. 18 No. 39
Structural Alterations, Reporting.....	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	Jan. 9, 1934—Vol. 19 No. 2
Fuel Oil Burners for Domestic and Commercial Use.....	Jan. 9, 1934—Vol. 19 No. 2
Fuel Oil Burners for Industrial Use.....	Nov. 21, 1933—Vol. 18 No. 47
Fuel Oil Pumps.....	Dec. 19, 1933—Vol. 18 No. 51

COURT DECISIONS

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available.

Matter of Cooperstein (Murdock)—Mr. Justice McCooley—Board sustained. June 27, 1933, Board denied application for gas station in business district under section 21. Cal. No. 95-33-BZ; premises southeast corner of 198th street and Foch boulevard, Springfield, Queens.

Matter of Guthrie (Murdock)—Mr. Justice McCooley—Board sustained. May 31, 1933, Board denied application for gas station in business district under section 21. Cal. No. 21-33-BZ; premises Southeast corner of Hillside avenue and 181st street, Jamaica, Queens.

Matter of Church & 94th St. Realty Corp'n (Murdock)—Mr. Justice Smith—May 2, 1933, Board denied rehearing of application for gas station in business district under section 21, on plea that smaller plot would be used. Cal. No. 451-32-BZ; premises 9111-23 Church avenue, northwest corner East 92d street, Brooklyn. Matter again referred back to Board for full hearing on new plans, and possibly new consents and withdrawal of objections "all of which may show a substantial change in the matter."

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 8, 1934, AT 2 P. M.

Building Zone Cases.

317-33-BZ.

APPLICANT—Edward L. Kelly, for Dickel Construction Co., owner.

PREMISES—Southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

320-33-BZ.

APPLICANT—John A. Cosgrove, for Gottel Radish, owner.

PREMISES—4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

334-33-BZ.

APPLICANT—Charles M. Lobejager, for Harry Sheer, owner.

PREMISES—Northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

337-33-BZ.

APPLICANT—John J. Dunnigan, for City Bank Farmers Trust Co., as trustee of Estate of William Waldorf Astor.

PREMISES—East side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), The Bronx.

APPLICATION, under section 7f of the building zone resolution,

TO PERMIT in a business district the maintenance of a parking space for more than five (5) motor vehicles.

JANUARY 9, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

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f the building zone resolution, *Tuesday morning, January 9, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 321-30-BZ—Application, May 9, 1930, under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; laid over for a full vote of board December 23, 1930; application of Kennedy & Ellner, applicants, on behalf of Summerville Realty Co., Inc., present owner; restored to Calendar December 15, 1933; premises northwest corner of Union turnpike and Parsons boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

CAL. NO. 294-33-BZ—Application, September 12, 1933, under section 21 of the building zone resolution, of Theodore C. Krautter, applicant and owner, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises 189-21 Linden boulevard (Block No. 1955, Lot No. 28), St. Albans, Borough of Queens.

CAL. NO. 307-33-BZ—Application, September 22, 1933, under section 21 of the building zone resolution, of M. Joseph Harrison, applicant, on behalf of 1758 Coney Island Avenue Realty Co., Inc., owner, to permit in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop and, also, the inclusion of a gasoline service station; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Brooklyn.

CAL. NO. 313-33-BZ—Application, September 29, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Isaac Klapper, owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 9, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 295-33-BZ—Application, August 1, 1933, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Henry M. Rinder, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises west side of Jerome avenue, 193.47 ft. north of Cromwell avenue (Block No. 2855, Lot No. 12), The Bronx.

CAL. NO. 352-33-BZ—Application, November 18, 1933, under section 21 of the building zone resolution, of Albert J. Courtney, applicant, on behalf of Columbus 67th Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station, bus terminal and parking space; premises 101-117 West 67th street, 160-176 Columbus avenue, 100-124 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Manhattan.

CAL. NO. 74-33-BZ—Application, February 25, 1933; withdrawn April 25, 1933; reopened September 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Packard Motor Car Company of New York, owner, to permit, partly in a business district and partly in a residence district, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles (previously granted by the board for automobile showroom, sales and distributing and service station); premises 4650-4664 Broadway and 2-16 Sherman avenue (Block No. 2175, Lot No. 1), Manhattan.

CAL. NO. 287-33-BZ—Application, September 6, 1933, under section 21 of the building zone resolution, of Fred Meier, applicant, on behalf of William Allan, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

CAL. NO. 495-32-BZ—Application, September 20, 1932, under section 21 of the building zone resolution; withdrawn February 3, 1933; reopened February 15, 1933, under section 7f; denied May 2, 1933; reopened May 31, 1933, under section 21 of the building zone resolution, of Michael Levine, applicant, on behalf of Navillus Realty Corp., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 122-13 to 122-21 Rockaway boulevard, northwest corner of 123rd street (Block No. 2512, part of Lot No. 7), South Ozone Park, Borough of Queens.

CAL. NO. 266-33-BZ—Application, August 8, 1933, under section 21 of the building zone resolution, of William Koppe, applicant, on behalf of Hollender Holding Corp., owner, to permit in a business district the erection and maintenance of a gas-

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oline service station; premises northwest corner of Sound View avenue and St. Lawrence avenue (Block No. 3596, Lot No. 1), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR MONDAY, JANUARY 15, 1934, AT 2 P. M.

Building Zone Cases.

242-33-BZ.

APPLICANT—Edward V. McKeown, for 1351 Boscobel Avenue Corp., owner.

PREMISES—Southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

318-33-BZ.

APPLICANT—Jerome F. Healy, Jr., for Benedicta Vetter, owner.

PREMISES—2259-2261 Washington avenue, west side, 101 ft. north of East 182nd street (Block No. 3038, Lot No. 35), The Bronx.

APPLICATION, under sections 7e, 7g and 21 of the building zone resolution,

TO PERMIT in a business district the conversion of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles.

321-33-BZ.

APPLICANT—Hyman & Segall, for Pennbrook Realty Co., Inc., owner.

PREMISES—Southwest corner of Oak avenue and Jamaica avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

331-33-BZ.

APPLICANT—Emil Guterman, for Litvin Holding Corp., owner.

PREMISES—1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

JANUARY 16, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 16, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 185-33-BZ—Application, May 15, 1933, under section 21 of the building zone resolution, of William Richter, applicant, on behalf of Sadie Teitelbaum, owner, to permit, partly in a business district and partly in a residence district, the maintenance of an automobile wrecking and junk storage yard; premises 2284-2296 West 8th street and 129-143 Avenue W, northwest corner (Block No. 7142, Lot Nos. 48 and 53), Brooklyn.

CAL. NO. 323-33-BZ—Application, October 14, 1933, under section 21 of the building zone resolution, of George A. Schonewald, applicant, on behalf of Elgeo Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

CAL. NO. 101-32-BZ—Application, February 29, 1932; individual garages granted on certain conditions June 17, 1932; reopened November 14, 1933, under section 21 of the building zone resolution, of Joseph Schafran, applicant, substituted for Charles S. Clark, on behalf of Themas Rosen, owner, to permit, partly in a business district and partly in an unrestricted district, the maintenance of an open air parking space for more than five (5) cars and the installation of two (2) gasoline tanks and pumps as accessory to the parking space and individual garages; premises west side of Bailey avenue, 182 ft. south of West 230th street (Block No. 3264, Lot No. 70), The Bronx.

CAL. NO. 217-33-BZ—Application, June 12, 1933, under section 21 of the building zone resolution of Benjamin N. Brody, applicant, on behalf of Hattie Schrage, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Springfield boulevard and 110th road (Junior place), (Block No. 2038, Lot No. 28), Jamaica, Borough of Queens.

CAL. NO. 292-33-BZ—Application, September 8, 1933, under section 21 of the building zone resolution, of Joseph H. Goldstein, applicant on behalf of Bonomo Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2729-2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 16, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provision of the building zone resolution, *Tuesday afternoon, January 16, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 147-33-BZ—Application, April 19, 1933, under section 21 of the building zone resolution of Celler & Kraushaar, applicants, on behalf of Arseekay Syndicate, Inc., owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises north side of Queens boulevard, 333.03 ft. east of 56th avenue (Block No. 1841, Lot No. 41), Elmhurst, Borough of Queens.

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CAL. NO. 297-33-BZ—Application, September 12, 1933, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Teresa C. McGroddy, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises east side of Sedgwick avenue, 150.19 ft. north of Undercliff avenue (Block No. 2538, part of Lot No. 3), The Bronx.

CAL. NO. 304-33-BZ—Application, September 18, 1933, under section 21 of the building zone resolution, of Michael Leone, applicant, on behalf of Vincenzo Mascoli, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building (dwelling) to business use (stores); premises 838 Washington avenue (Block No. 1176, Lot No. 97), Brooklyn.

CAL. NO. 305-33-BZ—Application, September 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of William Berg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 104-106 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot Nos. 38 and 40), Brooklyn.
HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 22, 1934, AT 2 P. M.

Building Zone Cases.

77-33-BZ.

APPLICANT—Anthony P. Sorice, Jr., for Vincent J. Repaci, owner.
PREMISES—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

273-33-BZ.

APPLICANT—Goldwater and Flynn and Samuel Rosenblum, for R. V. W. Realty Corp., owner.
PREMISES—West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), The Bronx.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

330-33-BZ.

APPLICANT—Charles M. Lobejager, for Harry Sheer, owner.
PREMISES—North side of Northern boulevard, 386 ft. west of Alcy Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

332-33-BZ.

APPLICANT—Charles A. Carey, for Whitnoyl Corp., owner.
PREMISES—14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles.

JANUARY 23, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 23, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 137-33-BZ—Application, April 12, 1933, under section 21 of the building zone resolution, of Joseph A. Marck, applicant, on behalf of Jeffem Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Reeves avenue and Kissena boulevard (Block No. 2168, Lot Nos. 1 and 9), Flushing, Borough of Queens.

CAL. NO. 279-33-BZ—Application, August 24, 1933, under section 21 of the building zone resolution, of James J. Munro, applicant, on behalf of Newman Building Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, part of Lot No. 29), Jamaica South, Borough of Queens.

CAL. NO. 310-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Rutherford S. Moorhead, applicant, on behalf of Henry A. Meyer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1872-1890 Gerritsen avenue, southwest corner of Brown street (Block No. 6838, Lot No. 1), Brooklyn.

CAL. NO. 311-33-BZ—Application, September 26, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Henry C. Mecke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 5709-5717 Church avenue, north side, 67'6¾" east of East 57th street (Block No. 4683, Lot No. 36½ and part of Lot Nos. 42 and 44), Brooklyn.

CAL. NO. 312-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of M. Joseph Harrison, applicant, on behalf of Joseph Halpert, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Merrick road and Linden boulevard (Block No. 3104, part of Lot No. 1), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

JANUARY 26, 1934, 10 A. M.

SPECIAL MEETING.

Appeals from Administrative Orders.

- 270-33-A—2534 Eastern boulevard, south side, 440 ft. east of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.
338-33-A—700 Eighth avenue (Block No. 1016, Lot No. 1), Manhattan.
361-33-A—67-69 Irving place (Block No. 874, Lot No. 17), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, January 26, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 202-33-BZ—Application, June 2, 1933, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Kapet Holding Corp., owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of Gun Hill road and Mickle avenue (Block No. 4786, Lot No. 36), The Bronx.

CAL. NO. 68-33-BZ—Application, February 20, 1933, withdrawn June 13, 1933; reopened and restored to Calendar September 19, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of M. C. R. Holding Corp., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

CAL. NO. 344-33-BZ—Application, November 10, 1933, under sections 7a, 7c and 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Parkville Amusement Corp., owner, to permit in a residence district the erection and maintenance of a recreation centre; premises 1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J

(Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JANUARY 30, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1934*, at 10 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 205-29-BZ—Application, March 27, 1929; gasoline service station granted for a temporary period of two (2) years on July 26, 1929; extension of temporary permit granted July 14, 1931; further extension granted July 14, 1933; reopened September 19, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of White-stone Service Station, Inc., present owner, to permit, partly in a residence district and partly in a business district, the permanent maintenance of a gasoline service station; premises 157-30 Willets Point boulevard (Block No. 619, Lot No. 15), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

FEBRUARY 6, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 6, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 276-33-BZ—Application, August 17, 1933, under section 21 of the building zone resolution, of James P. Boyland, applicant on behalf of William Jay Building Corp., owner, to permit in a residence district the alteration and change of occupancy of part of an existing apartment house from dwelling to business use; premises northeast corner of Grand concourse and East 203rd street (Block No. 3309, Lot No. 42), The Bronx.

HARRIS H. MURDOCK, *Chairman*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, JANUARY 3, 1934.

Present: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott.

The minutes of the Special Meeting of the Board, held on Friday morning, December 22, 1933, and the minutes of the regular meeting of the Board, held on Wednesday morning, December 27, 1933, and the minutes of the regular meeting of the Board held on Wednesday afternoon, December 27, 1933, were approved as printed in Bulletin No. 1, Vol. XIX.

BUILDING ZONE CASES.

202-33-BZ.

APPLICANT—John J. Dunnigan, for Kapet Holding Corp., owner.

SUBJECT—Application (re: decision of the commission of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Gun Hill road and Mickle avenue (Block No. 4786, Lot No. 36), The Bronx.

MINUTES

APPEARANCES—

For Applicant: Randolph F. Sauffront.

For Opposition: Jacob Granat.

ACTION OF BOARD—Laid over to January 26, 1934, at 10 a. m., for report of committee on inspection.

3-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for M. C. R. Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar).

PREMISES AFFECTED—9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

APPEARANCES—

For Applicant: Bertram F. Bongard.

For Opposition: S. J. Koff.

ACTION OF BOARD—Laid over to January 26, 1934, at 10 a. m., on request of applicant's representative.

44-33-BZ.

APPLICANT—Samuel Rosenblum, for Parkville Amusement Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7 (a), 7 (c) and 21 of the Building Zone Resolution, to permit in a residence district the erection and maintenance of a recreation centre.

PREMISES AFFECTED—1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

APPEARANCES—

For Applicant: L. B. Santangelo.

For Opposition: Henry Hoeffling.

ACTION OF BOARD—Laid over to January 26, 1934, at 10 a. m., on request of applicant's representative.

260-33-BZ.

APPLICANT—Saul Goldsmith, for Chris P. Dahl, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the maintenance of a business use illegally installed.

PREMISES AFFECTED—91 Clark street (Block No. 232, Lot No. 10), Brooklyn.

APPEARANCES—

For Applicant: A. L. Weiss, Saul Goldsmith, John Johnson.

For Opposition: W. L. Sayers, Rudolph Reimer, Ottis S. Carroll, Clarence G. Bernheimer, Guy Duval, Charles Dallen, R. H. Johnson, Robert Shaw.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Absent	0

THE RESOLUTION—

(260-33-BZ)

WHEREAS, Saul Goldsmith, for Chris P. Dahl, owner, filed, July 26, 1933, an application under the building zone application to permit in a residence district the maintenance of a business use illegally installed, premises 91 Clark street (Block No. 232, Lot No. 10), Brooklyn, and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular

meeting, January 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Clark street is residence and business; Henry street is in a business and residence district; Fulton street is in a business and unrestricted district and Monroe place is in a residence district and Pineapple street is in residence, business and unrestricted.

WHEREAS, the decision of the commissioner of buildings, rendered July 25, 1933, re Applic. No. 3744-1933, reads:

"Proposition to convert existing residence use to business use in a residential zone is contrary to Article II, Section 3 of the Zone Resolutions."

and

WHEREAS, the building is of non-fireproof construction, four stories in height, with a frontage of 25 feet and a depth of 50 feet, occupied as a store on the 1st story (now illegally used) and the remainder of the building a dwelling,

WHEREAS, the board deemed that applicant failed to substantiate his basis of appeal under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed, and that the application be and it hereby is denied.

261-33-BZ.

APPLICANT—Saul Goldsmith, for Ella J. Filson, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of the first story of an existing dwelling from residence to business use (stores).

PREMISES AFFECTED—93-95 Clark street (Block No. 232, Lot No. 8), Brooklyn.

APPEARANCES—

For Applicant: A. L. Weiss, Saul Goldsmith, Ella J. Filson.

For Opposition: W. L. Sayers, Rudolph Reimer, Ottis S. Carroll, Clarence G. Bernheimer, Guy Duval, Charles D. Allen, R. H. Johnson, Robert Shaw.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Absent	0

THE RESOLUTION—

(261-33-BZ)

WHEREAS, Saul Goldsmith, for Ella J. Filson, owner, filed, July 26, 1933, an application under the building zone application to permit in a residence district the alteration and change of occupancy of the first story of an existing dwelling from residence to business use (stores), premises: 93-95 Clark street (Block No. 232, Lot No. 8), Brooklyn, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Clark street is in a residence and business district; Henry streets is in a business and residence district; Fulton street is in a business and unrestricted district; Monroe place is in a residence district and Pineapple streets is in a residence, business and unrestricted;

WHEREAS, the decision of the commissioner of buildings, rendered July 25, 1933, re Applic. No. 3634-33, reads:

"Proposition to convert existing residence use to business use in a residential zone is contrary to Article II, Section 3 of the Zone Resolution."

and

MINUTES

WHEREAS, the building is of non-fireproof construction, four stories in height, with a frontage of 27 feet and a depth of 50 feet. Now occupied as a dwelling it is proposed to alter the building and occupy the first story for store use and the remainder of the building as a dwelling, and

WHEREAS, the board deemed that applicant failed to substantiate his basis of appeal under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

299-33-BZ.

APPLICANT—Abraham J. Halprin, for Sarah Beckman, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the Building Zone Resolution, to permit in a business district the erection and maintenance of a gasoline service station and, also, a motor vehicle repair shop.

PREMISES AFFECTED—90-100 Hegeman avenue, southeast corner of Hopkinson avenue (Block No. 3633, Lot No. 27), Brooklyn.

APPEARANCES—

For Applicant: Louis H. Katzman, Harry Schwartz.

For Opposition: Joseph Ricca, Jr., Julius Kaplan, Mary Dwoskin, Laurence Hyman, Max Golub.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Absent	0

THE RESOLUTION—

(299-33-BZ)

WHEREAS, Abraham J. Halprin, for Sarah Beckman, owner, filed, September 14, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station and, also, a motor vehicle repair shop; premises: 90-100 Hegeman avenue, southeast corner of Hopkinson avenue (Block No. 3633, Lot No. 27), Borough of Brooklyn. and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hegeman avenue is in a business district; Bristol street is in residence and business districts and Hopkinson avenue is in residence and business districts;

WHEREAS, the decision of the commissioner of buildings, rendered August 25, 1933 (re Applic. No. 9251-33), reads:

"Proposed gasoline service station and motor vehicle repair shop to be located in a business use district are contrary to Art. II, Sec. 4a of Zone Restriction."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 feet on Hegeman avenue and 96 feet on Hopkinson avenue—upon which it is proposed to erect a one story structure, 100 feet by 20 feet to be used as auto laundry, grease pits, office and auto repair shop; and, also, proposes to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the board deemed that applicant did not substantiate his basis of appeal, brought under section 21 of the building zone resolution.

Resolved, that the decision of commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

289-33-BZ.

APPLICANT—Max Siegel, for Harlem Tennis Club Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—3609-3621 Bailey avenue, west side, 83.25 feet north of West 236th street (Block No. 3270A, part of Lot No. 125), The Bronx.

APPEARANCES—

For Applicant: Max Siegel.

For Opposition: Charles A. Galotta, L. Cappelli, Mary Venterola, Michael J. Foley, Patrick J. Growley, Louis J. Witkin, Charles P. Hallock, Jr.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Absent	0

THE RESOLUTION—

(289-33-BZ)

WHEREAS, Max Siegel, for Harlem Tennis Club Holding Corp., owner, filed, September 8, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises 3609-3621 Bailey avenue, west side, 83.25 feet north of West 236th street (Block No. 3270A, part of Lot No. 125), The Bronx, and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bailey avenue is in a business and residence district and West 238th street is in a business district;

WHEREAS, the decision of the commissioner of buildings, rendered September 5, 1933, re Applic. N. B. 347-1933, reads:

"1. Erection of buildings and maintenance of premises in business district for gasoline service station is contrary to provisions of Building Zone Resolution." and

WHEREAS, the premises consist of a plot of ground having a frontage of 152 feet and a distance of 99 feet along the south lot line—upon which it is proposed to erect a one story structure 25 feet by 50 feet to be used as grease room, auto laundry and store; and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the Board deemed that the applicant did not substantiate his basis of appeal, brought under section 21 of the building zone resolution.

Resolved, that the decision of commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

APPROVAL OF PLANS.

332-32-BZ.

APPLICANT—William F. Doyle, for Kabor Holding Corp., owner.

SUBJECT—Amendment to resolution and approval of plans in accordance with resolution adopted by the board on November 21, 1933.

PREMISES AFFECTED—3276 Jerome avenue, southeast corner of Grand concourse (Block No. 3323, Lot Nos. 55, 64 and 82), The Bronx.

APPEARANCES—

For Applicant: None.

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ACTION OF BOARD—Resolution amended and plans approved on condition.

THE VOTE TO AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott 4
Negative 0
Absent 0

THE RESOLUTION—

(332-33-BZ)

WHEREAS, the application affecting premises No. 3276 Rome avenue, southeast corner Grand concourse (Block No. 3323, Lot Nos. 55, 64, 82), Borough of The Bronx, as granted by the board November 21, 1933, on certain

conditions, and applicant requested an amendment of the resolution and an approval of the plans submitted.

Resolved, that the resolution adopted November 21, 1933, be amended and the plans approved, permitting the roofs of the store buildings to be constructed of wood beams and wood roofing, on condition that the partitions subdividing the stores shall in all cases be carried up to the underneath side of the roof boards; that all ceilings shall be fire-retarded in accordance with the rules of the board of standards and appeals and that the roofs shall be surfaced with roofing of incombustible materials; and that the resolution adopted by the board on November 21, 1933, shall be complied with in all other respects.

Adjourned 1.20 p. m.

WILLIAM J. O'GORMAN, *Secretary*.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

WEDNESDAY AFTERNOON, JANUARY 3, 1934.

Present: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott.

APPEALS FROM ADMINISTRATIVE ORDERS.

4-33-A.

APPELLANT—Henry H. Nutt, for D. J. Tysen Estate, owner.

SUBJECT—Appeal from an order of the fire commissioner

PREMISES AFFECTED—South side of Tysen lane, between Mill and Hylan boulevards (Block No. 4000, Lot No. 39), New Dorp, Richmond.

APPEARANCES—

For Appellant: Henry H. Nutt.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott 4
Negative 0
Absent 0

THE RESOLUTION—

(314-33-A)

WHEREAS, Henry H. Nutt, for D. J. Tysen Estate, owner, filed, September 30, 1933, an appeal from an order of the fire commissioner, affecting premises south side of Tysen lane, between Mill and Hylan boulevards (Block No. 4000, Lot No. 39), New Dorp, Borough of Richmond; and

WHEREAS, the order of the fire commissioner, dated September 11, 1933 (Order No. 81410-LC), reads:

"1. Provide an approved buried storage system for gasoline. Sec. 112-1, Ch. 10, Code of Ordinances."

and

WHEREAS, the premises consists of a large plot of ground, about 11 acres, upon which is erected a 2-story frame dwelling, a 1½ story frame barn and a 1-story frame building, 40 feet by 50 feet, for the storage of tools; OCCUPIED: as a public golf course, located within a business district; and

WHEREAS, the appellant claims the 1-story frame building was erected in 1932, certificate of occupancy issued in 1933 for storage of tools on earth floor; this building is also used for the storage of two portable gasoline tanks of 55 gallons each, the gasoline is used to run two tractors

and a truck owned by the appellant, not more than 1500 gallons of gasoline is used in a year, no gasoline is sold on the premises; furthermore, the appellant contends that gasoline has been stored and used on the premises for motive power during the past seven years; the section is isolated, the surrounding properties are vacant lands and there is no existing fire hazard; under such conditions, to comply with the order would cause an unnecessary hardship in addition to the heavy expense of installing a buried system.

Resolved, that the order of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Order No. 81410-LC, permitting the maintenance of two portable gasoline tanks of not over 55 gallons capacity each *on condition* that these gasoline tanks shall be used solely for the purpose of servicing the equipment used in connection with the golf course (and excluding the sale of gasoline); that the filling of the portable gasoline tanks shall be direct from a tank wagon removed at least 100 feet from any frame building; that these portable gasoline tanks, when not in use, shall be stored in a metal structure, under lock and key; and that this modification shall continue only so long as the property under appeal is used as a golf course.

358-33-A.

APPELLANT—Peet and Powers, Inc., for Allerton House Corp., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—22 East 38th street and 241 Madison avenue (Block No. 867, Lot No. 55), Manhattan.

APPEARANCES—

For Appellant: Walter H. Powers.

For Administrator: Inspector Maher of Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott 4
Negative 0
Absent 0

THE RESOLUTION—

(358-33-A)

WHEREAS, Peet and Powers, Inc., for Allerton House Corp., filed, November 20, 1933, an appeal from an order of the commissioner of buildings, affecting premises 22 East 38th street and 241 Madison avenue (Block No. 867, Lot No. 55), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated November 6, 1933, re: Order No. 6889-F, reads:

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"1. Construct fuel oil storage tank enclosure consisting of walls, floor and roof of reinforced concrete of not less than 8 inches in thickness or 12 inches of masonry and of dimensions 6 inches greater on all sides than the outside dimensions of the tank as per rule 4, Sec. 1A, of the Fuel Oil Rules.

Note:—This item relates to small tank used for storage of oil for use in Diesel Eng."; and

WHEREAS, the building is fireproof, 18 stories in height, 125 feet by 98 feet 9 inches in area; OCCUPIED as a hotel; located within a residence use district; and

WHEREAS, the appellant has installed a power plant in the sub-basement, consisting of an 18 H.P. Diesel engine, using No. 2 fuel oil to drive a compressor for refrigeration purposes; the storage tank of 250 gallons capacity is set on the floor of sub-basement in a fireproof room at the northeast corner of the building, there is a drain on the floor near the tank, the room is provided with a fireproof self-closing door; no regulations have been adopted by the City covering the installation of Diesel engines; furthermore, the appellant contends that under the fuel oil rules a tank of 275 gallons capacity may be installed in a frame residence building without being encased in concrete, whereas the installation under this appeal is in a fireproof building which is of much less fire hazard than in a frame building.

Resolved, that the order of the commissioner of buildings be and it hereby is *modified*, and that the appeal be and it hereby is granted as to Order No. 6889-F *on condition* that the room (in which the fuel oil tank is installed) shall be completely surrounded with fireproof walls and that the door leading to same shall be fireproof, self-closing, with a leak-proof sill not less than 6 inches in height; that the installation of the tank shall be in conformity with the structural requirements of the Fuel Oil Rules; that the existing floor drain shall be effectually plugged to prevent any draining of oil into the sewer; that there shall be no incombustible material maintained in the room in which this oil tank is located; that on the line from the tank to the Diesel engine there shall be installed an approved pump; and that there shall be installed an approved vent to the outer air.

160-33-A.

APPELLANT—Sumner Gerard, for Aeonitt Realty Corporation, owner.

SUBJECT—Appeal from orders of the fire commissioner. PREMISES AFFECTED—261-269 West End avenue and 301 West 72d street (Block No. 1184, Lot No. 10), Manhattan.

APPEARANCES—

For Appellant: Sumner Gerard, Walter Haefeli.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Negative	0
Absent	0

THE RESOLUTION—

(160-33-A)

WHEREAS, Sumner Gerard, for Aeonitt Realty Corp., owner, filed, April 27, 1933, an appeal from orders and a decision of the fire commissioner, affecting premises Nos. 261-269 West End avenue and 301 West 72d street (Block No. 1184, Lot No. 10), Borough of Manhattan; and

WHEREAS, the orders of the fire commissioner, dated February 20, 1933 (Order No. 1145-F), reads:

"1. Install a standpipe system in accordance with approved plan 700-24 and Rule 36 of the board of standards and appeals standpipe fire line rules. Sec. 580-1, Ch. 5, Code of Ordinances.

RULE 36.

BUILDING IN COURSE OF ERECTION.

"In buildings in course of erection standpipe fire lines shall be carried up with each story after the structure reaches the 7th story or a height of 85 feet and there shall be provided an outside siamese steamer connection in a proper and accessible place, and regulation hose outlets on each story above the 2d shall be provided as the work progresses. The top of each riser shall be securely capped at all times during the progress of the work except when work on the standpipe fire line is in progress at that point."

(Order No. 1144-F)

"1. Have at least one hoist or elevator kept in readiness for immediate use by the fire department during all hours of the day and night, including holidays and Sundays, and a man competent to operate the elevator present at all times. Sec. 580-1, Ch. 5, Code of Ordinances.

"2. Provide 100 feet of 2½-inch approved hose at standpipe outlets on every other floor. Sec. 580-1, Art. 28, Ch. 5, Code of Ordinances."

and

WHEREAS, the decision of the fire commissioner, dated April 7, 1933, reads:

"This will reply to your letter of February 28th, relative to Order Nos. 1144-F and 1145-F, affecting the above premises in which you refer to an interview with the writer and set forth a statement of facts concerning the structure affected by the orders.

"Please be advised we have given careful consideration to all of the points enumerated in your letter and it is our conclusion that the orders are legal; that they were issued under a mandatory requirement of the Code of Ordinances and that this department has no power to waive or modify such requirements, therefore we regret your request must be denied."

and

WHEREAS, the incomplete building is fireproof, 22 stories (235 feet 6 inches) in height, 80 feet 6 inches by 115 feet in area; designed for hospital occupancy; located within a residence use district; and

WHEREAS, the appellant claims the building has been topped out, 22 stories in height; all work has been abandoned for more than five years; the present owner purchased the premises at public auction a little over a year ago at which time no such standpipe orders were on file; the building is not in course of erection but is idle and vacant, used for no purpose; due to the economic conditions it is undecided as to the completion of the building for hospital, hotel, apartment house use or to tear down the existing structure, in such event the large expense of complying with the orders would be a total loss; however, when construction is decided upon, the owner will immediately comply with all orders, in the meanwhile a watchman will be stationed on the premises; the building in its present state is unburnable, the exposure at west is a 12-story fireproof building, the exposure at north is a 19-story fireproof building with a wide court and a yard separating the buildings, the other two sides of the building under this appeal face upon the street; furthermore, the appellant contends there is no existing fire hazard on the premises and request that the standpipe orders be held in abeyance until a definite decision is made as to the future of the premises in question.

Resolved, that the orders and decision of the fire commissioner be and they hereby are *modified*, and that the appeal be and it hereby is *granted* as to Order Nos. 1144-F and 1145-F *on condition* that all combustible material on the various floors shall be removed and none retained in the building except the minimum amount stored on the ground floor; that no open flame shall be permitted in the building except a stove on the ground floor to furnish heat for the watchmen *on condition* that this shall be properly protected to prevent any spread of fire; that all elevator and stair shafts not now completely enclosed shall be protected with guard rails; that all exterior windows shall either be glazed or protected with sheathing; that

MINUTES

the siamese connections on the street shall be boxed in and signs posted reading "Standpipe System out of Service", with letters at least one inch in height; that this modification shall continue only so long as the building is left unoccupied and in incomplete condition, and in no event for more than a period of one year from the date of this resolution.

325-33-A.
APPELLANT—Ansonia Fire Prevention Eng. Co., for 49th Street Parking Corp., lessee.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—244-250 West 49th street (Block No. 1020, Lot No. 59), Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood:

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Negative	0
Absent	0

THE RESOLUTION—

(325-33-A)

WHEREAS, Ansonia Fire Prev. Eng. Co., Inc., for 49th Street Parking Corp., lessee, filed, October 17, 1933, an appeal from an order and a decision of the fire commissioner, affecting premises Nos. 244-50 West 49th street (Block No. 1020, Lot No. 59), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated August 28, 1933, reads: (Order No. 683-LC)

"Before permit may be issued for your non-storage garage, the following must be done.

"1. Discontinue the storage of gasoline anywhere on these premises except in the fuel storage tank of motor vehicles.

"2. Remove pump and seal with cement all accessible pipe openings of gasoline storage tank.

"REASON: Sec. 151-C, Ch. 10, Code of Ordinances prohibits the issuance of a permit for a storage garage in any building 'Where dry goods or other highly inflammable materials are manufactured or kept for sale;' and Sec. 151-D prohibits the issuance of such permit in any building where, 'Any explosives are stored or kept for sale.'

FURTHER

"No record that gasoline storage system has ever been approved by this department.

"It is unlawful to maintain a non-storage garage without a permit. Please notify this department promptly when this order has been complied with."

WHEREAS, the decision of the fire commissioner, dated October 10, 1933, reads:

"This letter is in reply to your request for the re-issuance of combustible letter No. 683, in order to enable you to use the term 'storage garage' in your contemplated appeal from the fire commissioner's decision.

"Items one and two, and the reasons given in connection therewith as set forth in LC-683, refer to a 'storage garage'. The term 'non-storage garage' as used in LC-683 is merely indicative of your client's right to maintain a non-storage garage in compliance with the items referred to.

"This will certify that application upon which LC-683 is based, requested permit for storage garage."

WHEREAS, the building is fireproof, 8 stories in height, 80 feet by 90 feet 5 inches in area; OCCUPIED: Cellar—non-storage garage for more than five motor vehicles; upper stories—showrooms, offices, cutting and fitting carpets, film developing and printing, total of 54 persons in entire building; located within a business use district; and

WHEREAS, the appellant claims that the present 275 gallon gasoline storage tank and pump are located in a small separate adjoining building in the yard, the tank is encased in concrete buried below the level of the cellar floor with a fill pipe run under the cellar floor and extending up to a metal fill box at street curbing; all such construction was shown and approved by the superintendent of buildings when the building was erected in 1906 under N. B. plans No. 502; the fire commissioner has no objection to the use as a non-storage garage, but bases his order merely upon the grounds that there is no record in the fire department of the approval of a storage garage, and also, there is a film developing and printing laboratory on the 6th story; however, permits for the non-storage garage have been regularly issued by the fire commissioner in the past, since the expiration of the last permit the fire commissioner has refused to issue a permit for a storage garage; furthermore, the appellant contends that the film developing is done on the 6th story 76 feet above the cellar, with self-closing fireproof doors between each story, such condition is just as remote as if the film storage and the gasoline storage were in separate buildings; the appellant requests permission to shift the gasoline pump to the front of the building as shown on 1st story plan between the elevator and the entrance door and to maintain a storage garage in the cellar with a storage tank of 275 gallons capacity.

Resolved, that the order and decision of the fire commissioner be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, permitting the basement to be used for a storage garage, *on condition* that the stairway to the street shall be enclosed in the cellar with fireproof material with a fireproof, self-closing door leading thereto and opening in the direction of exit; that all other openings to the elevator shafts and elevator machine rooms shall be protected with fireproof, self-closing doors without glass panels; that the boiler room shall be completely surrounded with fireproof material, enterable by means of engineer's ladder from the sidewalk and also through fireproof, self-closing door in the area at the cellar level; that the continuance of the use of the gasoline storage tank, installed as indicated on the plans, in the rear be permitted *on condition* that this tank shall not exceed 275 gallons capacity and shall be tested and approved by the department having jurisdiction; that there shall be an approved filling line from the street, buried under the cellar concrete and line from the tank to the pump, which pump is to be located as indicated at the west side of the building in the ground floor vestibule; that all piping to this pump and the installation of this pump shall meet the approval of the department having jurisdiction; that there shall be installed an approved oil separator in connection with this garage; that no portable tanks or other receptacles for carrying gasoline shall be used or maintained in the cellar or any other part of this building; that the door in the cellar, leading to the elevator on the east side of the building shall be removed and the opening blocked up with fireproof material; that the openings to the automobile freight elevator shall be closed and openings filled with fireproof material at both entrances to elevator on sixth floor so long as the nitro-cellulose film occupancy is maintained on that floor; that this modification shall continue only so long as these conditions are complied with and the sprinkler system and standpipe system are maintained in good working order, to the satisfaction of the department having jurisdiction, and that gasoline shall be for the exclusive service of cars stored in the cellar and not for general public sale.

BUILDING ZONE CASES.

148-33-BZ.

APPLICANT—Irving Proskauer, for Noviack Holding Corp., owner; request for reopening made by Kennedy and Ellner, for owner.

SUBJECT—Application for reopening—restoration to Calendar, having been previously withdrawn—re

MINUTES

Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Hollis avenue and Cross Island boulevard (Block No. 1882, Lot No. 106), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy.

ACTION OF BOARD—Application reopened, to be set for calendar call.

THE VOTE TO REOPEN—

Affirmative: Chairman Connell, Commissioners Connell and Holland and Chief McElligott 4
Negative 0
Absent 0

198-33-BZ.

APPLICANT—John J. Hegarty, for Port of New York Authority, owner; request for reopening made by William F. Walsh, for applicant.

SUBJECT—Application for reopening—restoration to Calendar, having been previously withdrawn—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Haven avenue, 217 feet 4½ inches north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

APPEARANCES—

For Applicant: William F. Walsh.

ACTION OF BOARD—Application reopened, to be set for calendar call.

THE VOTE TO REOPEN—

Affirmative: Chairman Connell, Commissioners Connell and Holland and Chief McElligott 4
Negative 0
Absent 0

399-30-BZ

APPLICANT—William Richter, for Sadie Hartwig, owner.

SUBJECT—Application for reopening—amendment re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2808-2818 86th street and 2279-2285 West 8th street, southeast corner (Block No. 7143, Lot No. 88), Brooklyn.

APPEARANCES—

For Applicant: William Richter.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Connell, Commissioners Connell and Holland and Chief McElliott 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Connell, Commissioners Connell and Holland and Chief McElliott 4
Negative 0
Absent 0

THE RESOLUTION—

(399-30-BZ)

WHEREAS, the application affecting premises 2808-2818 86th street and 2279-2285 West 8th street, southeast corner (Block No. 7143, Lot No. 88), Borough of Brooklyn, was granted by the board April 5, 1932, on certain conditions amended December 6, 1932, and applicant requested a further amendment of the resolution.

Resolved, that the resolution adopted by the board on April 5, 1932, as amended by resolution adopted December 6, 1932, be amended, only so far as it has reference to the masonry wall to be constructed on the southerly lot line and the curbing to be constructed on the building line, so that as amended, this portion of the resolution will read: "that there shall be constructed on the southerly lot line, a substantial woven wire fence not less than 5 feet in height and that there shall be constructed along the building line of 86th street a permanent concrete curbing not less than 12 inches in width and 12 inches in height; that this curbing shall return to West 8th street for a distance of about 15 feet; that there shall be but two openings to the 86th street front, not more than 12 feet in width each; that the curb cuts directly in front of such openings shall be not more than 14 feet each, and that other than as amended herein, the resolution as adopted April 5, 1932, and as amended December 6, 1932, shall be complied with in all respects.

311-32-BZ.

APPLICANT—Lauritz Lauritzen for W. M. Evans Dairy Company, Inc., owner.

SUBJECT—Application for reopening amendment—application re decision of the superintendent of buildings under section 6a, 7g and 21 of the building zone resolution to permit, partly in a business district and partly in a residence district, the extension of a milk bottling and distributing station, and, also, the erection and maintenance of a garage for more than five motor vehicles.

PREMISES AFFECTED—3484-3498 Fulton street (Block No. 4156, Lot Nos. 26 and 80), Brooklyn.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott 4
Negative 0
Absent 0

THE RESOLUTION—

(311-32-BZ)

WHEREAS, this application affecting premises 3484-3498 Fulton street (Block No. 4156, Lot Nos. 26 and 80), Borough of Brooklyn, was granted by the board September 16, 1932, on certain conditions amended October 14, 1932 and January 20, 1933, and applicant requests a further amendment.

Resolved, that the resolution of the Board adopted September 16, 1932, as amended by the resolution adopted October 14, 1932, and further amended by resolution approving plans on January 20, 1933, be amended, so as to permit the omission at the rear of the three-story fireproof building on Fulton street of the proposed fireproof roof, and to substitute therefor, the continuance of the existing galvanized iron awning, *on condition* that the resolution adopted September 16, 1932, as amended October 14, 1932 and January 20, 1933, shall be complied with in all respects other than as amended herein.

MINUTES

APPLIANCES SUBMITTED FOR APPROVAL.

372-33-SA.
PETITIONER—Quinn & Co., for W. A. Case & Son
Mfg. Co., owner.

SUBJECT—Trojan Automatic Oil Burner, approval of.
APPEARANCES—None.

ACTION OF BOARD—Petition denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Absent	0

THE RESOLUTION—

(365-33-SA)

WHEREAS, Quinn and Co., for W. A. Case & Son Mfg.
Co., owner, filed, December 4, 1933, a petition with the
board of standards and appeals for approval of their device
known as the Trojan Automatic Oil Burner; and

WHEREAS, it appeared that this device had already been
approved by the board as the Rexoil Domestic & Indus-
trial Oil Burner under Cal. No. 667-28-SA, and the board
seemed that confusion would result from the approval of
the same burner under two different names.

Resolved, that the petition be and it hereby is denied.

372-33-SA.

PETITIONER—John O'Connor.

SUBJECT—Preferred Oil Burner, approval of.

APPEARANCES—None.

ACTION OF BOARD—Appliance approved in accord-
ance with report of Chief of Bureau of Com-
bustibles, fire department and engineer of the
board.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Negative	0
Absent	0

THE RESOLUTION—

(372-33-SA)

WHEREAS John O'Connor, owner, filed, December 11,
1933, a petition with the board of standards and appeals
for approval of his device known as the Preferred Oil
Burner; and

WHEREAS, this burner was submitted to the Bureau of
combustibles of the fire department and the engineer of the
board for test and report; and

WHEREAS, the report of the assistant chief of the fire de-
partment in charge of the Bureau of Combustibles, en-
dorsed by the engineer of the board reads:

CITY OF NEW YORK

Fire Department

Bureau of Combustibles,
Room 1100, Municipal Building,
Manhattan.

December 29, 1933.

Patrick Walsh,
Assistant Chief of Department,
In Charge Bureau of Combustibles.
Sir:

In accordance with communication of December 28,
1933, from Mr. Harris H. Murdock, Chairman, Board
of Standards and Appeals, relative to the Preferred
Oil Burner, Calendar numbered 372-33-SA, we submit
the following:

On December 28, 1933, we visited premises 255 Beach
137th street, Belle Harbor, Borough of Queens, and
made an inspection and test of the Preferred Oil
Burner. We were accompanied by Mr. Hallam, As-
sistant Engineer of the Board of Standards and Ap-
peals, and Mr. John O'Connor, representing the Pre-
ferred Oil Burner.

This is a gun type pressure atomizing burner, using
No. 4 fuel oil for domestic, industrial and commer-
cial use.

The assembled burner consists of an Emerson $\frac{1}{8}$
H.P. electric motor, a Webster pump, strainer and
regulating valve unit, and a 6" by 3" American blower
and housing. The pump and blower are connected
directly to the motor. The nozzle is of the nitralloy
pressure atomizing type, with a capacity of from two
to ten gallons per hour.

Ignition—Electric, supplied by means of a Jefferson
110 volts primary and 10,000 volts secondary trans-
former.

Controls—Electric safety controls are manufactured
by the Penn Manufacturing Company; Stack switch is
type JS. I., also manufactured by the Penn Manu-
facturing Company. The controls on the burner with
the oil shut off were tested from a cold start and shut
the burner down in 66 seconds. This burner has not
been approved by the National Board of Fire Under-
writers.

During the period of test there were no variations
or fluctuations of the flame; no evidence of soot or
smoke. When the burner was shut down, there were
no puff backs or evidence of oil leaks; no undue car-
bon deposits on or in any combustion chamber.

Therefore, we recommend that this burner be ap-
proved for domestic, industrial and commercial use
when installed in accordance with the Fuel Oil Rules
adopted by the board of standards and appeals.

Respectfully submitted,

(Signed) JOHN F. DIXON,
Acting Chief Inspector.
CHARLES E. JOHNSON,
Assistant Inspector of Combustibles.

CITY OF NEW YORK

Fire Department

Bureau of Combustibles,
Room 1100, Municipal Building,
Manhattan.

December 29, 1933.

Mr. Harris H. Murdock,
Chairman,
Board of Standards and Appeals,
Municipal Building,
Manhattan.

Dear Sir:

In reply to your communication of December 28,
1933, relative to Calendar numbered 372-33-SA, Sub-
ject: Preferred Oil Burner, I respectfully invite atten-
tion to report of Acting Chief Inspector John F. Dixon
and Assistant Inspector of Combustibles Charles E.
Johnson, which has my approval.

Respectfully,

(Signed) PATRICK WALSH,
Assistant Chief of Department,
In Charge Bureau of Combustibles.

Resolved, that the board of standards and appeals does
hereby *approve* the device known as the Preferred Oil
Burner, for use in domestic, commercial and industrial
installations when installed in accordance with the report
of the assistant chief of the bureau of combustibles as
endorsed by the engineer of the board and the rules of
the board of standards and appeals.

333-33-SA.

PETITIONER—Jacobsen Manufacturing Co., owner; A.
F. Brombacher & Co., Inc., agent.

SUBJECT—Jacobsen Balanced Oil Burner (Model V-1),
approval of.

APPEARANCES—None.

ACTION OF BOARD—Appliance approved in accordance
with report of chief of bureau of combustibles,
fire department and engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commission- ers Connell and Holland and Chief Mc- Elligott	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(333-33-SA)

WHEREAS, A. F. Brombacher & Co., Inc., agent for the Jacobsen Manufacturing Company, owner, filed, October 27, 1933, a petition with the board of standards and appeals for approval of their device known as the Jacobsen Balanced Oil Burner (Model V-1).

WHEREAS, this burner was submitted to the Bureau of Combustibles of the fire department and the engineer of the board for test and report; and

WHEREAS, the report of the assistant chief of the fire department in charge of the Bureau of Combustibles, endorsed by the engineer of the board reads:

CITY OF NEW YORK

Fire Department.

December 22, 1933.

Bureau of Combustibles,
Patrick Walsh,
Assistant Chief of Department,
In Charge of Bureau of Combustibles.
Sir:

In accordance with the communication of November 27, 1933, from Mr. Harris H. Murdock, Chairman of the Board of Standards and Appeals, relative to the Jacobsen Balanced Oil Burner, Calendar numbered 333-33-SA, we submit the following report:

On December 18, 1933, we visited premises 2153 Ocean parkway, Brooklyn, accompanied by Mr. Hallam, Assistant Engineer of the Board of Standards and Appeals, and there interviewed Mr. A. F. Brombacher and Mr. N. Pedlar, representing the Jacobsen Manufacturing Company.

The Jacobsen Balanced Oil Burner, Model V-1, is a mechanical draft gun type burner, consisting of an Ohio Electric Motor, $\frac{1}{8}$ H.P., Webster Transformer; Webster Pump, strainer and regulating valve unit and fan. The nozzle on this burner is rated 1.65 gal. per hour.

Ignition—electric.

Controls—Protectorelay Model 117 and a Pressure-trol.

The burner was operated from a cold start with the oil supply shut off and on two successive tests the electrical controls shut the burner down in 88 and 80 seconds, respectively.

During the period of test there was no variation or fluctuation in the flame. The combustion chamber showed no evidence of carbon deposits. There were no puff backs or soot formation.

We therefore recommend that the Jacobsen Balanced Oil Burner, Model V-1, be approved for domestic use when installed in conformity with the provisions of the Fuel Oil Rules, adopted by the Board of Standards and Appeals.

Respectfully,
(Signed) JOHN F. DIXON,
Acting Chief Inspector,
CHAS. E. JOHNSON,
Assistant Inspector of Combustibles.

CITY OF NEW YORK.

Fire Department.

Bureau of Combustibles,

December 22, 1933.

Mr. Harris H. Murdock,
Chairman,
Board of Standards and Appeals,
Municipal Building,
Manhattan.

Dear Sir:

In reply to your communication of November 27, 1933, relative to Calendar Numbered 333-33-SA, Subject: Jacobsen Balanced Oil Burner, I respectfully invite your attention to report of Acting Chief Inspector John F. Dixon, and Assistant Inspector of Combustibles Charles Johnson, which has my approval.

Respectfully,
(Signed) PATRICK WALSH,
Assistant Chief of Department,
In Charge of Combustibles.

Resolved, that the board of standards and appeals does hereby *approve* the device known as the Jacobsen Balanced Oil Burner (Model V-1), for use in domestic installations when installed in accordance with the report of the assistant chief of the Bureau of Combustibles as endorsed by the engineer of the board and the rules of the board of standards and appeals.

Adjourned 4.30 p. m.

WILLIAM J. O'GORMAN, *Secretary*

MINUTES

*CORRECTION.

The minutes of the meeting of the board of standards and appeals of December 27, 1933, as they appeared in Bulletin 1, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(277-33-BZ)

WHEREAS, this application, affecting premises 89-91 Withers street, north side, 80 ft. west of Leonard street (Block No. 2737, Lot Nos. 27 and 28), Borough of Brooklyn, was granted by the board November 14, 1933, on

** Correction of words "the plans submitted by approved as complying with the resolutions" deleted from lines 7 and 8 of resolutions and words "and that the plans submitted by and they hereby are approved as complying with this amended resolution" added in last two lines.*

certain conditions, and applicant requested an amendment of the resolution and approval of the plans submitted.

Resolved, that the resolution of the board of November 14, 1933, be amended only so far as it refers to the requirements for fireproof construction of the main roof over the garage, so as to permit use of junior beams and gypsum planks, as shown on plans herewith approved and, also, *amended* as to the window in the first story garage wall, opening upon the yard behind the frame dwelling, so as to permit in addition to the window therein, an additional window, as indicated on plans, not over 2 ft. by 4 ft. and opening into the first floor toilet, *on condition* that the toilet shall be enclosed in fireproof walls with fireproof-self-closing door; that, other than as amended herein, the resolution (adopted November 14, 1933) shall be complied with in all respects and that the plans submitted be and they hereby are approved as complying with this amended resolution.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and
on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady.....	231-30-SA
Elkhart	15-31-SA

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

ANNUAL REPORT

CITY OF NEW YORK

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

MUNICIPAL BUILDING

January 9, 1934.

Hon. Fiorello H. LaGuardia,
Mayor, The City of New York,
City Hall, New York City.

DEAR SIR:—

I have the honor to submit to you the Annual Report of the Board of Standards and Appeals for the year 1933 as required by the Charter.

In all applications for zoning variances, the premises have been inspected by a Committee of the Board and a report with recommendations submitted before final action. Two hundred and eighty-eight (288) such inspections were made during the year. Careful consideration is given to the surrounding neighborhood and all factors are taken into account. That this procedure has proved effectual is evidenced by the Board's Court record for the past year. The decisions of the Board on appeals made during the year have in no instance been reversed by the Courts on certiorari proceedings.

It has been observed during Committee inspections that there are many instances of improper zoning and that generally too much area is zoned for business use. This is particularly true in the outlying sections.

In Court actions during the year there have been very few cases that have been referred to Referees; but an amendment to the Charter as to the taking of further testimony by Referees would be desirable. If the Court deems that complete testimony has not been presented to the Board, the case should be remitted to the Board for further consideration. This would also result in great saving to the property owner.

Amendments to Chapter 764 of the Laws of 1933 are necessary to clear up uncertainties as to possible overlapping jurisdiction of the Board of Buildings and the Board of Standards and Appeals. As whatever power the Board of Buildings has is limited by Section 411 to instances of practical difficulty, it should be clearly set forth that this relates only to structural conditions and not to protective and other requirements of law involving the question of unnecessary hardship as to which the Board of Standards and Appeals has sole jurisdiction.

If also there is any misapprehension as to where power rests to formulate rules which are supplementary to the Building Code, Labor Law and the Code of Ordinances, an amendment to clarify this should be introduced. Since 1916, such power has been with the Board of Standards and Appeals.

The statistical report follows:

ANNUAL REPORT

CASES FILED AND PENDING, 1933

FILED 1933	A	BZ	S	SA	SR	M'L	T'L	GR.T'L
JANUARY	8	17	4	6	0	50	85	..
Restored	1	5	1	1	0	0	8	93
FEBRUARY	15	18	8	7	0	24	72	..
Restored	1	5	0	1	0	0	7	79
MARCH	7	23	3	7	0	23	63	..
Restored	0	5	0	1	0	0	6	69
APRIL	11	20	3	6	0	27	67	..
Restored	0	9	0	1	0	0	10	77
MAY	9	13	4	9	0	50	85	..
Restored	0	9	0	0	0	0	9	94
JUNE	11	20	2	11	0	56	100	..
Restored	1	12	0	1	1	0	15	115
JULY	10	9	0	3	0	60	82	..
Restored	2	7	0	0	0	0	9	91
AUGUST	4	12	2	4	0	0	22	..
Restored	0	0	0	0	0	0	0	22
SEPTEMBER	7	19	0	2	0	49	77	..
Restored	0	15	0	1	0	0	16	93
OCTOBER	3	16	1	1	0	115	136	..
Restored	0	12	0	2	0	0	14	150
NOVEMBER	4	16	6	2	0	42	70	..
Restored	1	8	0	0	0	0	9	79
DECEMBER	5	17	2	2	0	46	72	..
Restored	1	2	0	0	0	0	3	75
TOTAL	101	289	36	68	1	542	1037	1037

PENDING

Dec. 31, 1932...	86	98	12	63	2	0	261	261
GRAND TOTAL...	187	387	48	131	3	542	1298	1298

DISPOSITION

1933								
JANUARY	19	21	9	4	0	50	103	..
FEBRUARY	10	30	3	2	0	24	69	..
MARCH	4	30	1	6	0	23	64	236
APRIL	12	11	7	5	0	27	62	..
MAY	10	31	4	8	0	50	103	..
JUNE	16	37	5	0	1	56	115	280
JULY	16	28	6	30	0	60	140	..
AUGUST	0	0	0	0	0	0	0	..
SEPTEMBER	6	12	0	4	0	49	71	211
OCTOBER	14	20	4	4	0	115	157	..
NOVEMBER	5	29	3	7	0	42	86	..
DECEMBER	24	39	4	3	0	46	116	359
TOTAL	136	288	46	73	1	542	1086	1086
PENDING								
Dec. 31, 1933...	51	99	2	58	2	0	212	212

Code: A—Appeals from Administrative Orders. BZ—Applications under Building Zone Resolution. S—Petitions for Variations of Labor Law. SA—Petitions for Approval of Appliances. SR—Petitions for Adoption of Rules. M'L—Miscellaneous Docket.

ANNUAL REPORT

SUMMARY

DOCKET.

Cases pending December 31, 1932.....	261
Cases filed up to December 31, 1933.....	389
Restored to Calendar.....	106
MISCELLANEOUS APPLICATIONS	
Requests to reopen.....	336
Requests to amend.....	27
Requests for modification.....	45
Requests to rescind.....	3
Requests for extension of time.....	75
Requests for extension of permit.....	13
Requests for mechanical installations.....	0
Requests for approval of plans.....	17
Administrative requests.....	0
Requests for interpretation.....	26
Total	1298
Disposed of.....	1086

DISPOSITION OF CASES.

Withdrawn	54
Dismissed	34
Denied	117
Granted	4
Granted on condition.....	260
Appliances approved.....	47
Appliances dismissed, disapproved or withdrawn.....	27
Rules approved.....	1
Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS ACTIONS.	
Requests to reopen granted.....	281
Requests to reopen denied.....	26
Requests to amend granted.....	27
Requests to amend denied.....	0
Requests for modification granted.....	44
Requests for modification denied.....	1
Requests to rescind granted.....	3
Requests to rescind denied.....	0
Requests for extension of time granted.....	75
Requests for extension of time denied.....	0
Requests for extension of permit granted.....	13
Requests for extension of permit denied.....	0
Requests to install granted.....	0
Requests to install denied.....	0
Plans approved.....	17
Plans disapproved.....	0
Administrative requests granted.....	0
Administrative requests denied or withdrawn.....	0
Interpretations	26
Requests withdrawn or dismissed.....	29
Total	1086

Cases pending December 31, 1933..... 212

MONEYS RECEIVED

SUBSCRIPTIONS	OCT.	NOV.	DEC.	TOTAL	1st QUAR.	2nd QUAR.	3rd QUAR.	GR. T'L.
To Bulletin	\$70.00	\$ 62.50	\$ 45.00	\$177.50	\$222.50	\$215.00	\$107.50	\$ 722.50
Cash Sales	26.45	42.50	57.65	126.60	64.25	76.20	43.36	310.41
Paid to Chamberlain..	\$96.45	\$105.00	\$102.65	\$304.10	\$286.75	\$291.20	\$150.86	\$1,032.91

REVIEW FROM 1916

Year	Cases Filed	Restored & M'l Actions	Total to Dis- pose of	Pending Previous Year	Disposed of as Follows:						Pending Dec. 31st
					With- drawn	Dis- missed	Cases Denied	Granted etc.	M'l Actions	Total Cases	
1916	502	32	534	0	39	64	59	204	32	398	136
1917	2620	35	2655	136	291	154	241	838	35	1559	1232
1918	1734	160	1894	1232	803	666	418	1009	160	3056	70
1919	1005	73	1078	70	105	47	271	594	41	1058	90
1920	793	114	907	90	84	100	233	457	33	907	90
1921	1720	176	1896	90	102	296	337	827	35	1597	389
1922	1575	405	1980	389	171	195	262	1025	281	1934	435
1923	1562	308	1870	435	149	189	193	928	219	1678	627
1924	1540	415	1955	627	173	194	290	1003	324	1984	598
1925	1350	335	1685	598	140	129	203	793	275	1540	743
1926	1147	403	1550	743	193	85	289	864	403	1834	459
1927	1357	575	1932	459	168	137	261	679	477	1722	669
1928	988	467	1455	669	230	107	312	585	384	1618	506
1929	765	508	1273	506	177	62	190	518	440	1387	392
1930	760	523	1283	392	175	38	215	379	451	1258	417
1931	623	645	1268	417	103	44	184	471	539	1341	344
1932	631	641	1272	344	158	22	159	492	524	1355	261
1933	389	648	1037	261	54	34	144	312	542	1086	212
Total	21061	6463	27524	7458	3315	2563	4261	11978	5195	27312	7670

WILLIAM J. O'GORMAN, *Secretary.*

HARRIS H. MURDOCK, *Chairman.*

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	K-3500	481-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	General Electric Fuel Oil Burner.....	434-32-SA
Aetna Automatic Oil Burner.....	1547-23-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Air-Blast Oil Burner.....	579-32-SA	Ghapco Steam Generator.....	348-31-SA
Alladin Oil Burner.....	298-26-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Alexander Oil Burner.....	65-28-SA	Gilbert & Barker Junior Flexible Flame Do-	
Arcoil Heat Machine.....	632-26-SA	mestic Oil Burner	520-31-SA
Auto-Heat Oil Burner.....	284-33-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gill Oil Burner.....	1231-23-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Goodrich Oil Burner, Models G-0, G-1, G-2	
Ballard Baby Grand Oil Burner.....	447-32-SA	and G-3	441-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Grant Oil Burner, Model "C".....	232-32-SA
Berggren Oil Burner.....	764-26-SA	Gulf Oil Burner.....	382-26-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Hardinge Oil Burner.....	813-25-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bettendorf Oil Burner.....	731-28-SA	Harris Fuel Oil Burner.....	690-30-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hart Automatic Oil Burner.....	1162-24-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hart Automatic Oil Burner, Model Series	
Braden Automatic Fuel Oil Burner.....	322-30-SA	"DO"	595-29-SA
Branford Oil Burner.....	36-31-SA	Hart Oil Burner, Model "H"	221-33-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hayward Oil Burner	696-30-SA
Caloroil Burner, Type AA.....	1361-24-SA	Heatiator Oil Burner.....	1346-23-SA
Camel Automatic Oil Burner, Model 30, Types		Heil Combustion Fuel Oil Burner.....	1105-22-SA
A, B and C and Model J.....	229-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Carborundum Burner	571-29-SA	Hercules Oil Burner, Models M 1200 and	
Carter-Korth Oil Burner, Model "P".....	389-32-SA	M 1800	486-32-SA
Carter-Korth Oil Burner	54-30-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Century Oil Burner.....	157-28-SA	Homer Domestic Oil Burner.....	1211-25-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Chalmers Automatic Oil Burner, Models D1		International Mechanical Draft Oil Burner...	372-30-SA
and D2	608-32-SA	International Oil Burner.....	1305-24-SA
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Crescent Type M Size I Oil Burner.....	592-31-SA	Kelco Oil Burner.....	237-33-SA
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Dahl Vaporizing Oil Burner.....	915-26-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
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Dist-o-matic Oil Burner.....	663-28-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
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Doherty Oil Burner.....	943-26-SA	Leader Oil Burner.....	425-31-SA
Easternoil Automatic Oil Burner, Models A,		Leiman Brothers Fuel Oil Burner.....	314-30-SA
B and C	600-31-SA	Liberty Automatic Heater.....	129-28-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Loneragan Automatic Oil Burner.....	208-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	"M W" Domestic Oil Burners, Models Nos. 25,	
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Ember-Glo Oil Burner.....	462-32-SA	Magna Fuel Oil Burner.....	197-33-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Majestic Oil Burner.....	693-30-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Marr Oil Heat Machine.....	765-26-SA
Enterprise Type Junior "W" Oil Burner,		Master Fuel Oil Burner.....	350-32-SA
Models 1, 2 and 3.....	225-32-SA	Master-Kraft Oil Burner.....	83-33-SA
Espo Oil Gas Burner.....	1431-23-SA	May Oil Burner.....	68-24-SA
Evenheet Oil Burner.....	554-32-SA	Mayfield Oil Burner.....	568-31-SA
Everedy Oil Burner.....	102-33-SA	Mayflower Oil Burner.....	124-29-SA
Fairfield Oil Burner.....	584-31-SA	McIlvane Oil Burner.....	544-29-SA
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Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA	Merco Oil Burner.....	637-29-SA
Fluid Heat Oil Burner.....	361-32-SA	Mid-West Oil Burner, Models 106, 108, 208,	
Foster Oil Burner.....	715-26-SA	211, 311 and 114.....	327-31-SA
Franklin Domestic Oil Burner.....	560-26-SA	Morrissey Oil Burner.....	673-27-SA
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Gar Wood Oil Burner, Model K and Model		Mousette Oil Burner.....	887-25-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
ational Airoil High Pressure Burner.....	185-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
ational Airoil Low Pressure Burner.....	186-29-SA	Silent Automatic Oil Burner.....	458-26-SA
ational Airoil Type D-R Rotary Oil Burner.....	548-31-SA	Silent Automatic Burner, Model "B".....	709-30-SA
ational Rotary Oil Burner.....	836-25-SA	Silent Automatic Burner, Model "E".....	710-30-SA
ew Perfection Oil Burner, Type "C".....	518-29-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
ew Process Oil Burner.....	1071-27-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
ichols-McCann-Harrison Burners.....	255-31-SA	Silent Glow Oil Burner, Model 1000.....	345-31-SA
oiseless Nokol Model G Oil Burner.....	801-28-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
oiseless Nokol Rotary Oil Burner Model R.....	584-28-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
okol Automatic Burner.....	1078-24-SA	Socony Arrow Oil Burner.....	1191-24-SA
u-Way Oil Burner.....	773-26-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
ilbuilt Burner.....	85-33-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
liver Oil Gas Burner, No. 30-A.....	1359-24-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
ronoque Oil Burner.....	394-30-SA	Stuhler Oil Burner.....	618-27-SA
rr Fuel Oil Burner.....	113-26-SA	Summerheet Oil Burner.....	581-26-SA
aramount Oil Burner.....	1193-25-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
aramount Oil Burner, Model A.....	617-30-SA	Sundstrand Purmaco Automatic Oil Burner,	
ascoe Oil Burner.....	1029-26-SA	Models A-2, 4-B, C-5, A-3U, 3K, B-5U,	
etro Domestic Burner.....	161-26-SA	B-5K and C-6U.....	658-30-SA
etro Model T Oil Burner.....	451-31-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
etro Model W Oil Burner.....	452-31-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
etro Burner, Model O.....	78-28-SA	Sun Heat Oil Burner.....	603-29-SA
etro Burner, Model P-2.....	735-30-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
etro Oil Burner, Models D-10, D-11, D-12,		Sunway Oil Burner.....	624-30-SA
D-13, D-14 and D-15.....	40-31-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Petroleum Heat & Power Company Fuel Oil		Superfex Oil Burning Heater.....	491-31-SA
Burner Model W-AH.....	614-32-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Superheet Oil Burner, Model D.....	254-33-SA
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Preferred Oil Burner.....	372-33-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
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and G7.....	411-32-SA	Timken Rotary Oil Burner.....	297-29-SA
Quaker Burnoil Stove.....	11-31-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Todd Spiro Oil Burner.....	470-31-SA
Ray Rotary Fuel Oil Burner, Types A and B		Todd Spiro Burner (pump type).....	94-32-SA
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Re-Ly-On Oil Burner.....	504-26-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Remington Domestic Oil Burner, Type B.....	745-26-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Remington Oil Burner.....	532-31-SA	United States Oil Burner.....	620-28-SA
Rexoil Domestic and Industrial Fuel Oil		Universal Fuel Oil Burner.....	6-24-SA
Burner.....	667-28-SA	Vaporoil Burner.....	44-32-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Vesta Oil Burner.....	451-26-SA
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S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
S & K Wide Range Fuel Oil Burner.....	10-33-SA	Williams Oil-o-matic Fuel Oil Burner, Wil-	
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil		liams Oil-o-matic, Jr., Models "K", "KA",	
Burner.....	197-32-SA	"KB" and Model "JJ".....	918-22-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel		Winslow Kleen Heet Burner, Models 805 and	
Oil Burner.....	198-32-SA	820.....	19-25-SA
Schulze Home Oil Burner.....	1487-23-SA	Wisconsin Fuel Oil Burner, Models O, A	
Scott-Newcombe Pioneer Oil Burner, Models		and B.....	32-33-SA
C and CA.....	436-32-SA	Wizard Automatic Oil Burner.....	181-33-SA
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Shepard Oil Burner.....	563-30-SA		
Shill Oil Burner.....	315-30-SA		

USE OF HYDRATED LIME IN CONCRETE

Adopted by the Board of Standards and Appeals, April 19, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	0
Cases filed up to January 3, 1934.....	0	Dismissed	0
Restored to Calendar.....	2	Denied	4
		Granted	0
		Granted on condition.....	4
		Appliances approved	2
		Appliances dismissed, disapproved or withdrawn....	1
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
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Requests to amend.....	3	Requests to reopen denied.....	0
Requests for modification.....	0	Requests to amend granted.....	3
Requests to rescind.....	0	Requests to amend denied.....	0
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Requests for extension of permit.....	0	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	1	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	0
Requests for interpretation.....	0	Requests for extension of time denied.....	0
		Requests for extension of permit granted.....	0
		Requests for extension of permit denied.....	0
		Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	1
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	0
		Requests withdrawn or dismissed.....	0
Total	222	Total.....	19
Disposed of	19		
Cases pending January 3, 1934.....	203		

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1001 to 1015, Municipal Building, New York City.

Vol. XIX Subscription \$2.50 a year JANUARY 16, 1934 Single Copies, 5 cents By mail, 7 cents No. 3

DIRECTORY

BOARD OF STANDARDS AND APPEALS

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JAMES P. HOLLAND

CHIEF JOHN J. McELLIGOTT

WILLIAM J. O'GORMAN, Secretary

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

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Minutes of Regular Meeting, January 9, 1934, 2 P. M.

Corrections.

Approved Fireline Hose Valves.

Sprinkler Rules.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, January 15, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, January 22, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to January 10, 1934.

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3-34-BZ.....	D.B.M...	228-232 W. 61st st. (Block 1152, Lots 49, 50 and 51), Man., Alt. 2322-33
2-34-A.....	D.B.M...	241-251 Park ave.; 101-109 E. 46th st.; 100-108 E. 47th st. (Block 1301, Lot 1), Man., F-7751
1-34-SA.....	F.D.....	Hager Silent Check Valve, Appliance

Restored to Calendar.

1236-27-BZ.....	D.B.Q....	Southeast cor. of Woodhaven blvd. and 163d ave. (Block 4046, Lot 63), Aqueduct, Q., Plan No. 2963-27
546-32-BZ.....	D.B.Bx...	Northeast cor. of Williams-bridge rd. and Lydig ave. (Block 4310, Lot 30), Bx., N. B. 506-32

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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Fuel Oil Burners for Industrial Use.....	Nov.	21, 1933—Vol. 18 No. 47
Fuel Oil Pumps.....	Dec.	19, 1933—Vol. 18 No. 51

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 15, 1934, AT 2 P. M.

Building Zone Cases.

242-33-BZ.	APPLICANT—Edward V. McKeown, for 1351 Boscobel Avenue Corp., owner.
	PREMISES—Southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.
318-33-BZ.	APPLICANT—Jerome F. Healy, Jr., for Benedicta Vetter, owner.
	PREMISES—2259-2261 Washington avenue, west side, 101 ft. north of East 182nd street (Block No. 3038, Lot No. 35), The Bronx.
	APPLICATION, under sections 7e, 7g and 21 of the building zone resolution,
	TO PERMIT in a business district the conversion of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles.
321-33-BZ.	APPLICANT—Hyman & Segall, for Pennbrook Realty Co., Inc., owner.
	PREMISES—Southwest corner of Oak avenue and Jamaica avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.
331-33-BZ.	APPLICANT—Emil Guterman, for Litvin Holding Corp., owner.
	PREMISES—1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Brooklyn.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.

JANUARY 16, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 16, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 185-33-BZ—Application, May 15, 1933, under section 21 of the building zone resolution, of William Richter, applicant, on behalf of Sadie Teitelbaum, owner, to permit, partly in a business district and partly in a residence district, the maintenance of an automobile wrecking and junk storage yard; premises 2284-2296 West 8th street and 129-143 Avenue W, northwest corner (Block No. 7142, Lot Nos. 48 and 53), Brooklyn.

CAL. NO. 323-33-BZ—Application, October 14, 1933, under section 21 of the building zone resolution, of George A. Schonewald, applicant, on behalf of Elgeo Realty Corp., owner, to permit in a business district

CALENDAR

the erection and maintenance of a gasoline service station; premises southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

CAL. NO. 101-32-BZ—Application, February 29, 1932; individual garages granted on certain conditions June 17, 1932; reopened November 14, 1933, under section 21 of the building zone resolution, of Joseph Schafran, applicant, substituted for Charles S. Clark, on behalf of Thema Rosen, owner, to permit, partly in a business district and partly in an unrestricted district, the maintenance of an open air parking space for more than five (5) cars and the installation of two (2) gasoline tanks and pumps as accessory to the parking space and individual garages; premises west side of Bailey avenue, 182 ft. south of West 230th street (Block No. 3264, Lot No. 70), The Bronx.

CAL. NO. 217-33-BZ—Application, June 12, 1933, under section 21 of the building zone resolution, of Benjamin N. Brody, applicant, on behalf of Hattie Schrage, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Springfield boulevard and 110th road (Junior place), (Block No. 2038, Lot No. 28), Jamaica, Borough of Queens.

CAL. NO. 292-33-BZ—Application, September 8, 1933, under section 21 of the building zone resolution, of Joseph H. Goldstein, applicant on behalf of Bonomo Realty Corp. owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2729-2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.
HARRIS H. MURDOCK, *Chairman*.

JANUARY 16, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 16, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 147-33-BZ—Application, April 19, 1933, under section 21 of the building zone resolution, of Celler & Kraushaar, applicants, on behalf of Arseekay Syndicate, Inc., owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises north side of Queens boulevard, 333.03 ft. east of 56th avenue (Block No. 1845, Lot No. 41), Elmhurst, Borough of Queens.

CAL. NO. 297-33-BZ—Application, September 12, 1933, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Teresa C. McGroddy, owner, to permit in a business district the erec-

tion and maintenance of a gasoline service station; premises east side of Sedgwick avenue, 150.19 ft. north of Undercliff avenue (Block No. 2538, part of Lot No. 3), The Bronx.

CAL. NO. 304-33-BZ—Application, September 18, 1933, under section 21 of the building zone resolution, of Michael Leone, applicant, on behalf of Vincenzo Mascoli, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building (dwelling) to business use (stores); premises 838 Washington avenue (Block No. 1176, Lot No. 97), Brooklyn.

CAL. NO. 305-33-BZ—Application, September 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of William Berg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 104-105 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot Nos. 38 and 40), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 22, 1934, AT 2 P. M.

Building Zone Cases.

77-33-BZ.

APPLICANT—Anthony P. Sorice, Jr., for Vincent J. Repaci, owner.

PREMISES—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

273-33-BZ.

APPLICANT—Goldwater and Flynn and Samuel Rosenblum, for R. V. W. Realty Corp., owner.

PREMISES—West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

330-33-BZ.

APPLICANT—Charles M. Lobejager, for Harry Sheer, owner.

PREMISES—North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

332-33-BZ.

APPLICANT—Charles A. Carey, for Whitnobl Corp., owner.

PREMISES—14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles.

CALENDAR

JANUARY 23, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 23, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 137-33-BZ—Application, April 12, 1933, under section 21 of the building zone resolution, of Joseph A. Marck, applicant, on behalf of Jeffem Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Reeves avenue and Kissena boulevard (Block No. 2168, Lot Nos. 1 and 9), Flushing, Borough of Queens.

CAL. NO. 279-33-BZ—Application, August 24, 1933, under section 21 of the building zone resolution, of James J. Munro, applicant, on behalf of Newman Building Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, part of Lot No. 29), Jamaica South, Borough of Queens.

CAL. NO. 310-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Rutherford S. Moorhead, applicant, on behalf of Henry A. Meyer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1872-1890 Gerritsen avenue, southwest corner of Brown street (Block No. 6838, Lot No. 1), Brooklyn.

CAL. NO. 311-33-BZ—Application, September 26, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Henry C. Mecke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 5709-5717 Church avenue, north side, 67'6¾" east of East 57th street (Block No. 4683, Lot No. 36½ and part of Lot Nos. 42 and 44), Brooklyn.

CAL. NO. 312-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of M. Joseph Harrison, applicant, on behalf of Joseph Halpert, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Merrick road and Linden boulevard (Block No. 3104, part of Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 321-30-BZ—Application, May 9, 1930, under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; laid over for a full vote of board December 23, 1930; application of Kennedy & Ellner, appli-

cants, on behalf of Summerville Realty Co., Inc., present owner; restored to Calendar December 15, 1933; premises northwest corner of Union turnpike and Parsons boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 23, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

CAL. NO. 294-33-BZ—Application, September 12, 1933, under section 21 of the building zone resolution, of Theodore C. Krautter, applicant and owner, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises 189-21 Linden boulevard (Block No. 1955, Lot No. 28), St. Albans, Borough of Queens.

CAL. NO. 307-33-BZ—Application, September 22, 1933, under section 21 of the building zone resolution, of M. Joseph Harrison, applicant, on behalf of 1758 Coney Island Avenue Realty Co., Inc., owner, to permit in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop and, also, the inclusion of a gasoline service station; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 26, 1934, 10 A. M.

SPECIAL MEETING.

Appeals from Administrative Orders.

- 270-33-A—2534 Eastern boulevard, south side, 440 ft. east of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.
- 338-33-A—700 Eighth avenue (Block No. 1016, Lot No. 1), Manhattan.
- 361-33-A—67-69 Irving place (Block No. 874, Lot No. 17), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, January 26, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CALENDAR

L. NO. 202-33-BZ—Application, June 2, 1933, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Kapet Holding Corp., owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of Gun Hill road and Mickle avenue (Block No. 4786, Lot No. 36), The Bronx.

L. NO. 68-33-BZ—Application, February 20, 1933, withdrawn June 13, 1933; reopened and restored to Calendar September 19, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of M. C. R. Holding Corp., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

AL. NO. 344-33-BZ—Application, November 10, 1933, under sections 7a, 7c and 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Parkville Amusement Corp., owner, to permit in a residence district the erection and maintenance of a recreation centre; premises 1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

AL. NO. 313-33-BZ—Application, September 29, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Isaac Klapper, owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

AL. NO. 337-33-BZ—Application, November 8, 1933, under sections 7f and 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of City Bank Farmers Trust Co., as trustee of Estate of William Waldorf Astor, to permit in a business district the maintenance of a parking space for more than five (5) motor vehicles; premises East Side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 29, 1934, AT 2 P. M.

Building Zone Cases.

108-33-BZ.

APPLICANT—Jacob E. Hurwitz, for Alice Fadool, owner.

PREMISES—195 Prospect Park West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use.

374-33-BZ.

APPLICANT—John H. Scheier, for Manufacturers Trust Co., owner.

PREMISES—2400-2412 Flatbush avenue, N. W. Cor. of Avenue T (Block No. 8528, Lot Nos. 1 & 72), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

339-33-BZ.

APPLICANT—Martin J. Ort, for Otnas Realty Inc., owner.

PREMISES—14-57 29th avenue, N. W. Cor. 21st street (Block No. 538, Lot Nos. 46 & 48), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

335-33-BZ.

APPLICANTS—Wood & Marshall, for Marshall Contracting Co., Inc., owner.

PREMISES—5563-5573 Kings Highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 & 9), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

JANUARY 30, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 205-29-BZ—Application, March 27, 1929; gasoline service station granted for a temporary period of two (2) years on July 26, 1929; extension of temporary permit granted July 14, 1931; further extension granted July 14, 1933; reopened September 19, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Whitestone Service Station, Inc., present owner, to permit, partly in a residence district and partly in a business district, the permanent maintenance of a gasoline service station; premises 157-30 Willets Point boulevard (Block No. 619, Lot No. 15), Whitestone, Borough of Queens.

CAL. NO. 317-33-BZ—Application, October 11, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Dickel Construction Co., owner, to permit in a business district

CALENDAR

the erection and maintenance of a gasoline service station; premises southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 334-33-BZ—Application, October 27, 1933, under section 21 of the building zone resolution, of Charles Lobejager, applicant, on behalf of Harry Sheer, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

FEBRUARY 6, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, Febru-*

ary 6, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 276-33-BZ—Application, August 17, 1933, under section 21 of the building zone resolution, of James P. Boyland, applicant, on behalf of William Jay Building Corp., owner, to permit in a residence district the alteration and change of occupancy of part of an existing apartment house from dwelling to business use; premises northeast corner of Grand concourse and East 203rd street (Block No. 3309, Lot No. 42), The Bronx.

CAL. NO. 320-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of John A. Cosgrove, applicant, on behalf of Gottel Radish, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 9, 1934.

Present: Chairman Murdock, Commissioners Connell, Holland and Chief McElligott.

The minutes of the Regular Meeting of the Board, held on Wednesday morning, January 3, 1934, and the minutes of the regular meeting of the Board held on Wednesday afternoon, January 3, 1934, were approved as printed in Bulletin No. 2, Volume XIX.

BUILDING ZONE CASES.

321-30-BZ.

APPLICANT—Kennedy and Ellner, for Summerville Realty Co., Inc., present owner.

SUBJECT—Application (re decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously laid over for full vote of board; restored to Calendar December 15, 1933).

PREMISES AFFECTED—Northwest corner of Union turnpike and Parsons boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy.

For Opposition: Joseph I. Katsk.

ACTION OF BOARD—Laid over to January 23, 1934, at 10 a. m., to correct new plans and file new photographs.

293-33-BZ.

APPLICANT—William F. Doyle, for Abraham Halperin, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

APPEARANCES—

For Applicant: Martin J. Ort, Abraham Halperin.

For Opposition: Ralph G. Albrecht, Edward Lee, William Samuels.

ACTION OF BOARD—Laid over to January 23, 1934, at 2 p. m. on request of applicant's representative.

294-33-BZ.

APPLICANT—Theodore C. Krautter, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—189-21 Linden boulevard (Block No. 1955, Lot No. 28), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Theodore C. Krautter.

For Opposition: Robert Aberman.

ACTION OF BOARD—Laid over to January 23, 1934, at 2 p. m., for report of committee on inspection.

307-33-BZ.

APPLICANT—M. Joseph Harrison, for 1758 Coney Island Avenue Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop and, also, the inclusion of a gasoline service station.

PREMISES AFFECTED—1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Brooklyn.

APPEARANCES—

For Applicant: M. Joseph Harrison, Isaac Golden.

For Opposition: Morris Kadner, Herman J. Cohen, Robert Aberman.

MINUTES

ACTION OF BOARD—Laid over to January 23, 1934, at 2 p. m., for report of committee on inspection.

3-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Isaac Klapper, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: B. F. Bongard.

For Opposition: E. F. Hayslop.

ACTION OF BOARD—Laid over to January 26, 1934, at 10 a. m., on request of applicant's representative.

4-32-BZ.

APPLICANT—Joseph Goodsob, for Mollie Weiser, owner.

SUBJECT—Request for reopening—reconsideration, having been previously denied—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2786 86th street, south side, 145 ft. $\frac{3}{8}$ in. west of 8th street (Block No. 7142, Lot No. 34), Brooklyn.

APPEARANCES—

For Applicant: Joseph Goodsob.

ACTION OF BOARD—Request for reopening—denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Connell and Holland and Chief McElligott 4

Absent 0

36-27-BZ.

APPLICANT—Archie H. Samuels, for Dorothy Rehder, present owner.

SUBJECT—Application for reopening—extension of time to obtain permits and complete work—re Applica-

tion (decision of the fire commissioner and decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Woodhaven boulevard and 163d avenue (Sheridan avenue); (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Application reopened—to be set for calendar call, public hearing, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Connell and Holland and Chief McElligott 4

Negative 0

Absent 0

546-32-BZ.

APPLICANT—Milton M. Samuels, for 88th Holding Company, Inc., owner; request for reopening made by Reuben L. Haskell, attorney.

SUBJECT—Application for reopening—consideration under section 7f—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), The Bronx.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Application reopened—to be set for calendar call, public hearing, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Connell and Holland and Chief Mc-

Elligott 4

Negative 0

Absent 0

Adjourned, 1.30 p. m.

WILLIAM J. O'GORMAN, *Secretary*.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 9, 1934.

Present: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott.

BUILDING ZONE CASES.

7-33-BZ.

APPLICANT—Fred Meier, for William Allan, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and $1\frac{1}{2}$), Astoria, Queens.

APPEARANCES—

For Applicant: John L. Sheehan, Malcolm Cunningham.

For Opposition: Nathan Goldenthal.

ACTION OF BOARD—Application placed on reserve calendar, pending full vote of the Board.

495-32-BZ.

APPLICANT—Michael Levine, for Navillus Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station (previously denied under section 7f; reopened May 31, 1933).

PREMISES AFFECTED—122-13 to 122-21 Rockaway boulevard, northwest corner of 123d street (Block No. 2512, part of Lot No. 7), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Michael Levine.

For Opposition: John Christensen.

ACTION OF BOARD—Application placed on reserve calendar, pending full vote of the Board.

MINUTES

266-33-BZ.

APPLICANT—William Koppe, for Hollender Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Sound View avenue and St. Lawrence avenue (Block No. 3596, Lot No. 1), The Bronx.

APPEARANCES—

For Applicant: Mary Judge.

For Opposition: Mrs. Miller.

ACTION OF BOARD—Application placed on reserve calendar, pending full vote of the Board.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioner Holland and Chief McElligott.....	3
Negative: Commissioner Connell.....	1
Absent	0

352-33-BZ.

APPLICANT—Albert J. Courtney, for Columbus 67th Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station, bus terminal and parking space.

PREMISES AFFECTED—101-117 West 67th street, 160-176 Columbus avenue, 100-124 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: Louis A. Jackson, Thomas T. Grace, Max Segal.

ACTION OF BOARD—Application withdrawn after report of committee on inspection was read.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Negative	0
Absent	0

295-33-BZ.

APPLICANT—William Shary, for Henry M. Rinder, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Jerome avenue, 193.47 ft. north of Cromwell avenue (Block 2855, Lot No. 12), The Bronx.

APPEARANCES—

For Applicant: William Shary.

For Opposition: Max Gottman, Louis J. Witken.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Negative	0
Absent	0

THE RESOLUTION—

(295-33-BZ)

WHEREAS, William Shary, for Henry M. Rinder, owner, filed, August 1, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: West

side Jerome avenue, 193.47 ft. north of Cromwell avenue (Block No. 2855, Lot No. 12), The Bronx; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 9, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cromwell avenue, Jerome avenue and River avenue are in business districts; and

WHEREAS, the decision of the Commissioner of Buildings, rendered July 19, 1933, re N. B. 287-1933, reads:

"Erection of building and maintenance of premises in business district for gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. on Jerome avenue and 68 ft. on Cromwell avenue, and a maximum depth of 136 ft., on which it is proposed to erect a one-story office 13 ft. by 31 ft., grease pits and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was made the subject of an inspection and report by a committee of the Board, and report of said inspection was read at this hearing; and

WHEREAS, the Board deems that applicant has substantiated his basis of appeal under section 21 of the building zone resolution and is, therefore, entitled to relief.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the plot under appeal shall be leveled substantially to the grade of Jerome avenue and Cromwell avenue, that there shall be erected along the northerly interior lot line between Cromwell avenue and Jerome avenue a brick wall not less than 8 ft. in height, faced with face brick; that a similar wall shall be erected on the southerly interior lot line between Jerome avenue and Cromwell avenue unless the wall of the adjoining building to the south is unpunctured for its full length; that the accessory buildings shall be located toward the southerly lot line, as indicated on plans filed with this appeal; that these accessory buildings shall be not over one-story in height and shall be constructed of incombustible materials, except that the roof framing and boarding may be of wood, provided the surfacing is of incombustible material and the ceilings throughout covered with fire-resisting material, constructed in accordance with the rules of the board of standards and appeals and that the doors and window frames and sash may be of wood; that any grease pits that are installed shall be housed in a building of similar construction, toward the northerly lot line; that the fronts of these buildings shall be left open and there shall be no excavation under these buildings, except for the greasing pits; that the entire area, where not covered by accessory buildings and walls, shall be cement paved; that there shall be erected on the Jerome avenue building line and on the Cromwell avenue building line concrete curbs not less than 12 inches in height and 12 inches in width with not over two openings therein to Jerome avenue and not over two openings to Cromwell avenue, these openings not to exceed 20 ft. in width with no part of any opening nearer than 8 ft. to an interior lot line; that the curbs opposite these openings shall not exceed 25 ft. in width; that any gasoline pumps erected shall be not nearer than 10 ft. to the street building line or any portion of an accessory building; that no portable gasoline tanks shall be used on or from the property; that no automobile repairing shall be permitted on the premises, nor the storage or parking of cars, other than those being serviced; that any signs advertising non-conforming uses shall be limited to the illuminated globes of the gasoline pumps and to permanent flat signs placed against the interior side of the lot line walls or against the accessory buildings, excluding all signs of a temporary nature; and that all permits shall be obtained within six months and all work completed within one year from the date of this resolution.

MINUTES

4-33-BZ.

APPLICANT—Martin J. Ort, for Packard Motor Car Company of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles (previously granted by the Board for automobile showroom, sales and distributing and service station; reopened September 12, 1933).

PREMISES AFFECTED—4650-4664 Broadway and 2-16 Sherman avenue (Block No. 2175, Lot No. 1), Manhattan.

APPEARANCES—

For Applicant: Charles E. Murphy, Mr. Huron.
For Opposition: Meyer Bashein, Martin Schlesinger.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Negative	0
Absent	0

THE RESOLUTION—

(74-33-BZ)

WHEREAS, Martin J. Ort, for Packard Motor Car Company of New York, owner, filed, February 25, 1933; withdrawn April 25, 1933; reopened September 12, 1933, an application under the building zone application to permit in a business district and partly in a residence district, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles (previously granted by the board under Cal. 681-25-BZ, for automobile showroom, sales and distributing and service station); premises: 4650-4664 Broadway and 2-16 Sherman avenue (Block No. 2175, Lot No. 1), Manhattan; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 9, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sherman avenue is in a business district, Broadway is in a business district and Dongan place is in a residence district;

WHEREAS, the decision of the commissioner of buildings, rendered October 20, 1933, reads:

"In answer to your letter of October 10, 1933, enclosing application for a certificate of occupancy for the above building, you are advised this department cannot issue a certificate for the occupancy applied for as a garage for more than five cars is not permitted in a business district.

"You are also advised the proposed occupancy is contrary to that granted by the board of standards and appeals, under Cal. 681-25-BZ, namely, manufacturers salesroom, showroom, distributing and service station."

and

WHEREAS, the existing building is of fireproof construction, two (2) stories in height, with a frontage of 204 feet on Sherman avenue, and approximately 276 ft. on Broadway, occupied as automobile sales and showroom and distributing and service station. It is proposed to occupy the building as a garage for more than 5 motor vehicles in addition to its present occupancy; and

WHEREAS, this application was made the subject of an inspection and report by a committee of the Board, and report of said inspection was read at this hearing; and

WHEREAS, the board deems that applicant has substantiated his basis of appeal under section 21 of the building zone resolution and is, therefore, entitled to relief.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulation of the building zone resolution and that the application be and it hereby is *granted* for a period of two years, from the date of the issuance of the certificate of occupancy by the commissioner of buildings, such period, however, to start not later than three months from the date of this action, permitting the use of this existing building as a garage for more than five motor vehicles, *on condition* that the exterior appearance of the building shall not be altered; that the existing windows on the interior lot lines shall be made fixed and unopenable but that such windows on the interior lot lines as are within 15 ft. of windows (or fire escapes) of adjoining apartment houses shall be permanently blocked up with approved masonry; that the arrangement in the interior of the building shall remain substantially as at present; that the standpipe system and the sprinkler system shall be maintained in good working order; that no gasoline in excess of 1,000 gallons shall be stored in the building and not more than one gasoline pump shall be installed; that the gasoline pump shall be installed inside the main entrance to the building at Sherman avenue; that gasoline shall be sold only for cars stored in the building and not to the public generally; that not over two approved portable gasoline tanks shall be permitted on the premises and such portable tanks shall not be operated other than inside of the building; that no electric or other signs shall be erected on the roof, in addition to those erected on the roof at the present time; and that wall signs shall be limited to a flat sign not over 3 ft. by 8 ft. placed against the front of the building, near the corner of Broadway and Sherman avenue; that this resolution shall not nullify the resolution of the Board as amended under Cal. No. 681-25-BZ, except as herein modified.

APPEALS FROM ADMINISTRATIVE ORDER.

387-32-A.

APPELLANT—The Salvation Army, owner; request for reopening made by Robert W. Strachan, Jr., for owner.

SUBJECT—Application for reopening—amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Montgomery avenue, Andrew avenue and West Tremont avenue (Block No. 2878, Lot No. 146), The Bronx.

APPEARANCES—

For Appellant: Robert W. Strachan, Jr.
For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott	4
Negative	0
Absent	0

THE RESOLUTION—

(387-32-A)

WHEREAS, this appeal affecting premises Montgomery avenue, Andrews avenue and West Tremont avenue (Block No. 2878, Lot No. 146), was granted by the Board November 18, 1932, on certain conditions, and appellant requests an amendment of the resolution.

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Resolved, that the resolution of the board, adopted on November 18, 1932, be and it hereby is *amended*, only so far as it refers to the pressure to be maintained at the attic or top story hose outlet so that as amended that clause of the resolution will read:

That a pressure of not less than 22 pounds shall be maintained at the attic or top story hose outlet and that the nozzle at this hose outlet shall be reduced to

$\frac{1}{2}$ in. diameter; and that other than as amended herein, the resolution adopted by the board on November 18, 1932, shall be complied with in all other respects.

Adjourned, 4.00 p. m.

WILLIAM J. O'GORMAN, *Secretary*.

MINUTES

*CORRECTION.

The minutes of the meeting of the board of standards and appeals of January 3, 1934, as they appeared in Bulletin No. 2, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(332-33-BZ)

WHEREAS, the application affecting premises No. 3276, Jerome avenue, southeast corner Grand concourse (Block No. 3323, Lot Nos. 55, 64, 82), Borough of The Bronx,

** Correction—Word "store" omitted from line 9 of resolution.*

was granted by the board November 21, 1933, on certain conditions, and applicant requested an amendment of the resolution and an approval of the plans submitted.

Resolved, that the resolution adopted November 21, 1933, be amended and the plans approved, permitting the roofs of the buildings to be constructed of wood beams and wood roofing, on condition that the partitions subdividing the stores shall in all cases be carried up to the underneath side of the roof boards; that all ceilings shall be fire-retarded in accordance with the rules of the board of standards and appeals and that the roofs shall be surfaced with roofing of incombustible materials; and that the resolution adopted by the board on November 21, 1933, shall be complied with in all other respects.

MINUTES

*CORRECTION.

The minutes of the meeting of the board of standards and appeals, held December 27, 1933, as they appeared in Bulletin No. 1, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(723-29-BZ)

WHEREAS, William F. Regan, for Baldassare Curreri, owner, filed, December 11, 1929; denied June 3, 1930; re-opened September 26, 1933, under section 21, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 261-267 Sheridan avenue, southeast corner of Conduit boulevard (Sunrise highway), (Block No. 4239, Lot No. 9), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meet-

** Correction—Words "and report" and words "and report of said inspection was read at this hearing" omitted from lines 31 and 32 of resolution. Words "this report recommended the denial of the application under section 21 deeming" omitted in lines 33 and 34 and words "the board deemed" substituted in line 33, and words "under section 21 of the building zone resolution" added in line 35.*

ing, December 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Conduit boulevard is in a business and residence district; Sheridan avenue is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 31, 1933 (re App. 2567-1933), reads:

"Application denied. Use contrary to Zone Resolution. Art. II, Sec. 4 (a), Sub. Div. 46. Gasoline Service Station not permitted in Business district."; and

WHEREAS, the premises consist of an irregular-shaped plot of ground having a frontage of 118 ft. on Conduit boulevard and 84 ft. on Sheridan avenue, upon which it is proposed to erect a one-story office, 15 ft. by 20 ft., and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, and

WHEREAS, the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady.....	231-30-SA
Elkhart	15-31-SA

RULES

RULES GOVERNING FIRE EXTINGUISHING APPLIANCES—SPRINKLER SYSTEMS ADOPTED BY THE BOARD OF STANDARDS AND APPEALS NOVEMBER 9, 1927

NOTE.—In reprinting these Rules, no changes have been made, as to departmental jurisdiction, as changed by the McCull Bill known as Chapter 764 of the Laws of 1933.

General Requirements. The rules contained herein cover the general details of a sprinkler equipment only. Before an equipment is installed or before a present equipment is remodeled, involving 10 or more heads on any floor, complete working plans shall be submitted for approval to Fire Department, with such specifications as may be required by the Fire Commissioner, except for the installation of the connection to the water main service pipe and meter setting, which shall be approved by the Department of Water Supply, Gas and Electricity.

Plans. These plans shall be drawn to an indicated scale; give correct address and points of compass; show longitudinal and cross sections of the building with story heights, and the essential features of the construction, i. e., size, location and direction of joists, timbers or other structural members. They shall also indicate the location and size of water supplies, connecting pipes, feed mains and risers, gate, check, alarm and dry-pipe valves, as well as the location, spacing, number and type of sprinklers. Plans for non-automatic dry-pipe systems shall indicate the location and number of actuating devices.

Upon approval of preliminary plans such number of sets of clean, corrected plans on cloth as the Fire Commissioner may require, not exceeding three (3), shall be forwarded for final approval of the Fire Commissioner. A certified copy of the approved plans shall be forwarded to the Bureau of Buildings by the Bureau of Fire Prevention. If the structure is equipped with a standpipe (fire riser) the plans shall include a note to that effect.

When entirely completed in accordance with the approved plans, application shall be made to the Bureau of Fire Prevention for test and acceptance of the completed installation. When the sprinkler equipment is approved the applicant will be so advised in writing by the Bureau of Fire Prevention.

Rule 1. Definition of Automatic Extinguisher Systems. Automatic extinguisher systems shall consist of a system of piping connected to one or more acceptable sources of water supply, provided with distributing devices so arranged and located as to discharge and diffuse automatically an effective stream or spray over the interior of the building area.

Rule 2. Classification of Sprinkler Systems. For the purpose of these rules, sprinkler systems shall be classified as:

(a) **Automatic Wet Pipe Systems**, in which all pipes and sprinkler heads are at all times filled with water;

(b) **Automatic Dry Pipe Systems**, in which the pipes and sprinkler heads are filled with air, either compressed or at atmospheric pressure, and the water supply is controlled by a Dry Pipe Valve as defined in Rule 39 of these Rules.

(c) **Non-Automatic Systems**, in which all pipes and sprinkler heads are maintained dry, equipped with a manual fire department connection.

An automatic thermostatic or pneumatic fire alarm with direct connection to Central Office of one of the operating fire alarm companies or Fire Department headquarters shall be provided in connection with all non-automatic sprinkler systems.

Rule 3. Approved Devices. Automatic sprinklers and necessary appliances shall include all devices approved by such by any recognized standard research laboratory and the endorsement of approval by resolution of the Board of Standards and Appeals.

Rule 4. Water Supply. Approved sources of water supply shall be classified as Automatic and Auxiliary.

(a) **Automatic Sources** shall include the Gravity Tank, the Pressure Tank, or direct connection to the Public Water System.

(b) **Auxiliary Sources** shall include the Fire Pump and the Fire Department siamese connection.

Rule 5. Gravity Tank. Gravity tanks shall contain an available quantity of water sufficient to supply twenty-five per cent. (25%) of the number of sprinkler heads in the average protected fire area for twenty (20) minutes, but not less than 5,000 gallons; and the bottom of the tank shall have an elevation of not less than twenty (20) feet above the highest line of sprinklers below the main roof. Gravity tank or tanks shall not be required to be elevated above the highest sprinklers in pent house having an area less than 2,500 sq. ft., unless such pent house contains a hazardous occupancy, or is used for the storage of combustible material. Where a split system is installed the bottom of the tank or tanks need not be elevated more than 3 feet above the main roof or 20 feet above the highest sprinkler fed from an intermediate tank.

Where a tank capacity in excess of 25,000 gallons is required by this rule, the amount of water in excess of 25,000 gallons shall be provided in separate tanks not grouped together except when tanks of unlimited capacities are supported on structures altogether independent of buildings.

The tank shall be filled through a fixed pipe, independent of the sprinkler piping, not less than two (2) inches in size, discharging into the top of the tank. The water supply and connections shall be capable of supplying the tank at a rate of not less than sixty-five (65) gallons per minute.

The filling pipe shall be carried up inside a frost-proof casing and may extend through tank bottom to discharge at top of tank above full water level. The portion of pipe inside tank must be of brass or copper or other non-corrosive material.

Tanks shall not be fed through sprinkler lines

The sprinkler and standpipe tanks may be fed from a common source of supply, either a pump or a direct service main connection, provided that there are separate feed mains from the basement or lowest story and a control valve in each feed line in a pump or engine room.

The overflow pipe shall be not less than two (2) inches in diameter for tanks up to 30,000 gallons capacity and not less than three (3) inches in diameter for larger tanks. The top of the overflow pipe shall be three (3) inches below the top of the staves in wooden tanks and one (1) inch from the top in steel tanks. The pipe may extend through the bottom of tank provided the portion inside tank is of brass or copper or other non-corrosive metal and without joints or it may extend through side of tank. For tanks over roofs overflow pipes shall terminate not more than twenty-four (24) inches above roof and shall be fitted with a 90 degree elbow. At each gravity or pressure tank there shall be provided a 4-inch emergency drain, and for gravity tanks in excess of ten thousand (10,000) gallons capacity a six-inch (6") emergency drain must be provided. Such drain to be equipped with an O. S. and Y. gate valve arranged to discharge on the roof of building not more than twenty-four inches (24") above roof and shall be fitted with a 90 degree elbow. When the tank or tanks are on a separate structure independent of buildings, drain connections to be arranged to discharge at ground level.

Rule 6. Frost Proofing. The discharge, heating or filling pipes where exposed to the weather shall be protected from freezing in the following manner:

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1. Pipes painted two (2) coats of red lead in linseed oil with a small percentage of litharge as a hardener.

2. One wrapping of tar paper equivalent to Asphalt Saturated Wool Felt paper weighing 12 lbs per 100 sq. ft.

3. Three (3) layers of standard 1" high grade long cow's hair felt interposed and covered with one (1) layer of builder's paper equivalent to red rosin sized sheathing paper weighing 40 lbs. per 500 sq. ft.

4. One (1) covering of 8 oz. canvas, painted with two (2) coats of waterproofed paint.

Application.

a. All wrappings to be independently applied and securely fastened in place with heavy jute twine. Circumferential and longitudinal joints to have at least a 2" lap staggered with adjacent layers and opposing leakage to the hair felt.

b. In groups of pipes each water pipe is to be wrapped separately with the tar paper, but subsequent layers of felt and paper may be applied collectively if space does not permit of individual wrapping.

c. Where a heating pipe is one of the group, the wrapping should be applied so that the hot line would serve all pipes in the enclosure. The initial wrapping of tar paper around each water pipe should be applied with laps down and the whole group wrapped with tar paper with laps up. If due to the position of the hot line sufficient air space would not insulate the hair felt, then protection to be effected by suitable separators, or a wrapping of asbestos paper instead of the tar paper around the group.

d. On vertical pipes particular provision to be made to prevent slipping and tearing of insulation due to its weight.

e. To prevent slipping away of insulation at point of entrance of pipes into a tank, and to shed leakage from slip joints, a 16 oz. duck to be provided, doubled and securely fastened to bottom of the tank overlapping inside and outside the insulation of the group for a distance of 18" below the tank. This duck to be well coated with paint. Loose hair felt to be packed about connections at tank bottom to safeguard against settling.

Rule 7. Tank Ladders and Supports. Easy access to top of each tank shall be provided by means of a steel or wrought iron gooseneck ladder substantially constructed of flat iron side bars of not less than 2" x 1/2", or angle iron strings not less than 1 3/4" x 1 3/4" x 1/4", spaced not less than 14" apart, with rungs round or square not less than 5/8", spaced not more than 12" on centres, the ladder rigidly braced, and shall not tip outward from the vertical at any point, and when ladders exceed 20 feet in height an iron platform not less than 14" square, rigidly secured to strings of ladder and properly braced shall be provided near top of tank.

Tanks above roofs shall be constructed according to the requirements of the Building Code and supporting structures shall be approved by the Superintendent of Buildings. Tanks not enclosed and exposed to the weather shall be covered with a double roof of acceptable construction consisting of a tight flat cover of matched boards and above this a conical roof which shall be covered with an approved roofing.

Where a gravity tank is located on a structure altogether independent of buildings the bottom shall not be less than 20 feet above the highest line of sprinklers below the main roof of the highest building in a group of buildings.

Rule 8. Pressure Tank. Pressure tanks shall contain sufficient water to supply twelve and one-half per cent (12 1/2%) of the number of sprinklers in the average protected fire area for twenty (20) minutes, but not less than 3,000 gallons of water for a wet pipe system where supplemented by an auxiliary water supply, and not less than 5,000 gallons of water for a dry-pipe system. No single tank shall have a capacity greater than 6,000 gallons of water. The tank shall be kept two-thirds (2/3) full of water under a pressure of seventy-five (75) pounds per

square inch, and shall be so proportioned and located that a pressure of not less than fifteen (15) pounds per square inch will be available on the highest line of sprinklers below the main roof.

A pressure tank or tanks shall not be located below the highest line of sprinklers under the main roof supplied by such tank or tanks and shall not be required to be located above the highest line of sprinklers in a pent house having an area less than 2,500 square feet unless such pent house contains a hazardous occupancy or is used for the storage of combustible materials. Where a split system is installed the bottom of the intermediate tank shall be located above the highest line of sprinklers fed from such tanks.

The water shall be supplied through a fixed pipe, independent of the sprinkler piping, not less than two inches in size. The water supply and connections shall be capable of supplying the tank at a rate of not less than sixty-five (65) gallons per minute without reducing the pressure in the tank. The tank shall have a fixed metallic horizontal line on the end opposite the glass gauge, or other acceptable device, to indicate the level of the water when the tank is two-thirds full.

The air compressor shall be of sufficient capacity to increase the air pressure at the average rate of one (1) pound in two minutes in each pressure tank.

Rule 9. Public Water System. Direct connection to the city water supply shall be capable of furnishing water, at not less than fifteen (15) pounds per square inch static pressure at the highest line of sprinklers below the main roof.

(a) Where the average pressure from the city water supply does not comply with this rule but is sufficient to give at least five pounds at the highest line of sprinklers as determined by test, an automatic, electrically driven pump installed for the purpose of boosting or increasing the city water pressure in the sprinkler system may be accepted under the following conditions:

Pump to be a single stage, centrifugal, of approved design, to be of not less than 500 gallons per minute capacity and to otherwise comply with Rule 10.

(b) Pump to be automatic, arranged to maintain 25 pounds at highest line of sprinklers at rated capacity and to be under the supervision and directly connected to the office of one of the fire alarm companies which is connected to Fire Department headquarters.

(c) The acceptance of this form of an automatic water supply shall be limited to an individual building not exceeding 80 feet in height, requiring not more than 100 sprinklers in the largest fire area.

(d) Subject to the requirements of the Department of Water Supply, Gas and Electricity, the size of each connection shall be as large as that of the main riser and not less than four (4) inches, and shall have a post indicator manually operated control valve, painted green, sealed open in an approved manner, located on the first story or at the sidewalk level near point of main entrance to building, and be provided with a sign secured to post reading: sprinkler control to city main.

(e) House service water supply connection may be taken from the sprinkler water supply connection to the city main on the inlet side of the fire meter, not exceeding 1 1/4 inches in diameter for a 4-inch connection, and 2 inches in diameter for a 6-inch or larger connection.

(f) A certificate establishing the fact that water supply conditions and pressures are as may be required shall be submitted to the Fire Department from the Department of Water Supply, Gas and Electricity.

Rule 10. Fire Pump. As auxiliary sources of water supply, steam or electric standard fire pumps shall receive water supply from a suction tank, a direct connection to the city water main or other approved sources capable of supplying the pump at its rated capacity for sixty (60) minutes. The rated capacity of the pump

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shall be not less than five hundred (500) gallons per minute, and shall be sufficient to supply twenty-five per cent. (25%) of the number of sprinklers in the average protected fire area.

The pump shall be located in a room of fireproof construction, properly ventilated, lighted and drained, enclosed in eight (8) inch brick or concrete walls with approved fire doors at openings and with fireproof floor and ceiling construction. If located in the lowest story of the building, the pump shall be placed on a foundation not less than one (1) foot in height. The pump room shall be readily accessible with safe egress for the attendant.

A reliable source of energy for driving the pump shall be provided. For steam pumps, provision shall be made for sufficient steam power to operate the pumps at full rated capacity, and a steam pressure of not less than fifty (50) pounds shall be maintained at the pump at all times. Where there is more than one boiler, the pipes and valves shall be so arranged to permit the cutting out of any one boiler without interrupting the steam supply to the pump from the other boilers. The boiler room shall be cut off from the remainder of the building by fireproof floor and wall construction with approved fire doors at all openings.

Electrical energy from a public service plant shall be acceptable as a source of energy for driving electric fire pumps. When local power plants supply the energy for operating electric pumps, two motor generator units shall be provided, or one generator unit supplemented by a public service break-down switch. Local electric power plants shall be located in rooms of fireproof construction with approved fire doors at openings.

Rule 11. Sprinkler Discharge. For the purpose of computing the capacity of water supplies, standard one-half ($\frac{1}{2}$) inch sprinkler heads shall be assumed to have an average discharge of twenty (20) gallons per minute, and the discharge of larger heads shall be computed proportionately in the ratio of the areas of their respective orifices.

Rule 12. Fire Area. A fire area is any floor space enclosed on all sides by exterior walls or fire walls or a combination of both.

In a non-fireproof building with mill or non-fireproof floors and roof, such wall shall be not less than 8 in. in thickness if of brick or stone, and not less than 6 in. if of reinforced concrete, and extending continuously from the lowest story to be at least 3 ft. above the roof and be coped.

In a fireproof building such wall or walls shall be of fireproof material not less than 6 in. in thickness, and shall extend from the fireproof floor to ceiling, or underside of fireproof roof.

No opening shall exceed 66 in. in width, or 60 sq. ft. in area, the centre of every opening in such walls shall be at least 40 ft. from the centre of every other opening therein at the same level.

All openings shall be provided with approved automatic fire doors on each side of openings.

The number of sprinklers in the average protected fire area shall be determined by the number of sprinklered stories in such section. In determining the required capacity of water supplies, the number of sprinklers in the average protected fire area need not include those located in low positions, such as under benches, low shelves, closets and platforms and between cars in car barns.

Rule 13. Fire Department Connection. All automatic sprinkler systems shall be provided with at least one two-way siamese connection on each street front of the building for connection to the fire department hose. Buildings fronting on only one street shall be provided with at least two siamese connections when the street frontage of building exceeds two hundred (200) feet.

Where buildings have frontages on more than one street there shall be a fire department connection on each street front where frontage is not continuous but in all cases where more than one fire department connection is required they shall be located as the Fire Commissioner may direct and shall not be grouped. The siamese headers shall be of the same diameter as the largest riser or cross connection, but in no case less than 4 inches or more than 6 inches.

All siamese hose connections hereinafter installed, except those on piers or warehouses intended for fire boat use, shall be three (3) inch, female connection. Siamese on piers, warehouses, etc., intended for fire boat use, except where the source of supply is from a direct connection to city main, shall be not less than $3\frac{1}{2}$ -inch female connections with standard fire department threads.

The siamese shall be placed at least eighteen (18) inches and not more than three (3) feet above the sidewalk, in a horizontal position accessible to the fire department. Each inlet shall be provided with a clapper valve machined to a true face.

Each siamese connection shall be designated by raised letters at least one (1) inch in size, cast in the fitting in a clear and prominent manner and reading for the service designated, viz.: "Base, Spkr.," etc., as the case may be. If the entire building is sprinklered, the fitting shall be marked "Auto. Spkr."

Siamese hose connections may project through a street wall not more than twelve (12) inches beyond the building line except that where there is an angle formed by the street wall and a check piece or the base of a column, pilaster or ornamental projection, they may be so located that no part extends more than fifteen (15) inches from either side of such angle in accordance with the provisions of the Building Code.

In each fire department connection there shall be an approved straightway check valve installed in a horizontal position, the piping shall be arranged to drain between the check valve and the outside siamese coupling by either a ball drip having a one-half ($\frac{1}{2}$) inch pipe connection and one-half ($\frac{1}{2}$) inch orifice and a bronze ball of proper size or by a three-quarter ($\frac{3}{4}$) inch drip connection arranged to drain to a sewer.

All sprinkler siamese street risers, siamese wall collars and adjustable siamese caps shall be painted green.

Rule 14. Sprinkler Systems Classified.

(a) One Source Systems, supplied with water from any one of the automatic sources or the automatic supervised fire pump specified in rule nine; and

(b) Two Source Systems, supplied with water from a combination of any two of the automatic sources; two pressure tanks with a total water capacity twice that required for a one source supply; direct connection to the city water supply on two different streets, so located that the closing of the controlling valve on one main will not eliminate the main on the other street; or a direct connection to the city water supply and one of the auxiliary sources provided the water supply connection is at least six (6) inches in size, the main is fed both ways and a two (2) inch test pipe at the top of the sprinkler riser shows a flowing pressure of fifteen (15) pounds per square inch between the hours of six a. m. to six p. m.

Rule 15. Sprinkler Spacing. Sprinkler heads and lines shall be spaced as herein provided:

Mill Construction. Under mill ceiling (smooth solid plank and timber construction, 5 to 12 foot bays) one line of sprinklers shall be placed in the center of each bay and the distance between the heads on each line shall not exceed the following:

- (a) For Standard one-half ($\frac{1}{2}$) inch heads—
 - 8 feet in 12 foot bays;
 - 9 feet in 11 foot bays;

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- 10 feet in 10 foot bays;
- 11 feet in 9 foot bays;
- 12 feet in 5 to 8 foot bays;

(b) For Conran* one (1) inch heads—

20 feet in 5 to 12 foot bays.

(c) For Conran* one and one-quarter ($1\frac{1}{4}$) inch heads—

25 feet in 5 to 12 foot bays.

(d) Vaults used for the storage of inflammable motion picture films shall have one standard one-half ($\frac{1}{2}$) inch head for each $62\frac{1}{2}$ cubic feet of available storage space, or one (1) inch Conran* head for each 250 cubic feet of available storage space.

Measurements shall be taken from center to center of timbers.

Ceilings of modified mill construction having bays less than three (3) feet wide shall be treated as open joist construction and sprinkler heads and lines spaced accordingly.

Bay timbers spaced three (3) feet or more on centers, but less than five (5) feet on centers, will require special ruling by the administrative official having jurisdiction.

Rule 16. Joisted Construction. Under open finish joisted construction ceilings, floor, decks and roofs, the sprinkler lines shall be run at right angles to the joists and the heads "Staggered spaced" so that heads on one line will be opposite a point halfway between heads on adjacent lines.

a. One-Half Inch Heads. For Standard one-half ($\frac{1}{2}$) inch heads the distance between lines of sprinklers shall not exceed ten (10) feet, and the distance between heads on each line shall not exceed eight (8) feet, the end heads on alternate lines being spaced not more than two (2) feet from wall or partition. Permission may be given by the administrative official having jurisdiction to install but one line of sprinklers, in each bay where girders project below the underside of joists and divide the ceiling into bays ten (10) to eleven and one-half ($11\frac{1}{2}$) feet wide from center to center of girders, and the heads shall then be spaced on each line so that the area covered by a single head does not exceed eighty (80) square feet. In all cases where such bays are over eleven and one-half ($11\frac{1}{2}$) feet wide, two or more lines of sprinklers shall be installed in each bay as required by the rules for spacing. Where girders and joists are flush at the bottom, heads shall be spaced according to the general rule.

b. One Inch Heads. For Conran* one (1) inch heads the distance between adjacent lines shall not exceed twenty (20) feet and the distance between the heads on each line shall not exceed sixteen (16) feet, the end heads on alternate lines being spaced not more than four (4) feet from wall or partition. Where girders project below the underside of joists and divide the ceiling into bays not exceeding twenty (20) feet in width, measured from center to center of girders, one line shall be placed in the center of each bay. In bays exceeding twenty (20) feet in width at least two (2) lines shall be installed in each bay and in no case shall the distance between adjacent lines exceed twenty (20) feet.

c. One and One-Quarter Inch Heads. For Conran* one and one-quarter ($1\frac{1}{4}$) inch heads the distance between adjacent lines shall not exceed twenty-five (25) feet and the distance between the head on each line shall not exceed twenty (20) feet, the end head on alternate lines being spaced not more than five (5) feet from wall or partition. Where girders project below the underside of joists and divide the ceiling into bays not exceeding

twenty-five (25) feet in width, measured from center to center of girders, one line shall be placed in the center of each bay. In bays exceeding twenty-five (25) feet in width at least two (2) lines shall be installed in each bay, and in no case shall the distance between adjacent lines exceed twenty-five (25) feet.

Rule 17. Smooth Finish, Sheathed or Plastered Ceilings. Under smooth finish, sheathed or plastered ceilings, in bays six (6) feet wide and over (measurements to be taken from center to center of timber, girder or other projection or support forming the bay), sprinkler heads and lines shall be spaced as follows:

(a) For standard one-half ($\frac{1}{2}$) inch heads—

One line of sprinklers shall be placed in the center of each bay for bays not exceeding twelve (12) feet in width, and the distance between the heads on each line shall not exceed the following:

- 8 feet in 12 foot bays;
- 9 feet in 11 foot bays;
- 10 feet in 6 to 10 foot bays.

Bays in excess of twelve (12) feet in width and less than twenty-three (23) feet in width, shall contain at least two (2) lines of sprinklers; bays twenty-three (23) feet in width or over shall have the lines therein not over ten (10) feet apart. In bays in excess of twelve (12) feet in width, not more than one hundred (100) square feet of ceiling area shall be allotted to any single head.

(b) For Conran* one (1) inch heads—

One line of sprinklers shall be placed in the center of each bay for bays not exceeding twenty (20) feet in width, and the distance between the heads on each line shall not exceed twenty (20) feet. Bays in excess of twenty (20) feet in width shall contain at least two (2) lines and in no case shall the distance between adjacent lines exceed twenty (20) feet.

(c) For Conran* one and one-quarter ($1\frac{1}{4}$) inch heads—

One line of sprinklers shall be placed in the center of each bay for bays not exceeding twenty-five (25) feet in width and the distance between the heads on each line shall not exceed twenty-five (25) feet. Bays in excess of twenty-five (25) feet in width shall contain at least two (2) lines and in no case shall the distance between adjacent lines exceed twenty-five (25) feet.

Rule 18. Fireproof Construction. The rules of slow-burning mill construction shall apply as far as practicable. The rule may be modified, however, the intent being to arrange the spacing of heads to protect the contents rather than the ceilings; but in no case shall the distance between a head on one line and a head on an adjacent line exceed the following:

(a) For standard one-half ($\frac{1}{2}$) inch heads, 12 feet.

(b) For Conran one (1) inch heads, 20 feet.

(c) For Conran one and one-quarter ($1\frac{1}{4}$) inch heads, 25 feet.

Rule 19. Distance From Walls. The distance from walls or partition to the first head on a sprinkler line shall not exceed one-half the allowable distance between the heads on such line. Additional heads may be required in the narrow pockets formed by bay timbers or beams and wall. Where beams, girders, columns, walls, partitions or other obstructions prevent the effective discharge of water, additional heads shall be installed to effectively sprinkle the area.

Rule 20. Vertical Shafts. In vertical shafts having inflammable sides, heads shall be provided within the shaft in addition to the head or heads at the tops of shafts, as follows:

(a) One standard one-half ($\frac{1}{2}$) inch head for each 200 square feet of inflammable surface.

*Wherever the term "Conran head" is used in these Rules, it is to be taken as meaning either a Conran head of the type tested and approved by the Fire Department, or one that has passed similar tests by the Fire Department.

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(b) One Conran* one (1) inch head for each 400 square feet of inflammable surface.

(c) One Conran* one and one-quarter ($1\frac{1}{4}$) inch head for each 500 square feet of inflammable surface.

Such head or heads shall be installed at each floor when practicable, and always when shaft is trapped. Where practicable, heads shall be "staggered" at the alternate floor levels, particularly when only one head is installed at each floor level.

Rule 21. Pitched Roofs. Under a pitched roof sloping more steeply than one (1) foot in three (3) feet, heads shall be located in peak of roof, and those on either side of the peak shall be spaced according to the foregoing requirements. The distance between heads shall be measured on a line parallel with the roof. Where the roof meets the side wall or the floor line, the heads shall be placed not more than the following distance from such intersection:

(a) For standard one-half ($\frac{1}{2}$) inch heads, $3\frac{1}{2}$ feet.

(b) For Conran* one (1) inch heads, 7 feet.

(c) For Conran* one and one-quarter ($1\frac{1}{4}$) inch heads, $8\frac{1}{2}$ feet.

Heads spaced not to exceed the following distance each way from the peak to roof, measured on a line parallel with the roof, may be used in lieu of heads located in peak of roof:

(d) For standard one-half ($\frac{1}{2}$) inch heads, $2\frac{1}{2}$ feet.

(e) For Conran* one (1) inch heads, 5 feet.

(f) For Conran* one and one-quarter ($1\frac{1}{4}$) inch heads, $6\frac{1}{4}$ feet.

In sawtooth roof construction, the end heads on the branch line shall be spaced not to exceed the following distance from the peak of the sawtooth:

(g) For standard one-half ($\frac{1}{2}$) inch heads, $2\frac{1}{2}$ feet.

(h) For Conran* one (1) inch heads, 5 feet.

(i) For Conran* one and one-quarter ($1\frac{1}{4}$) inch heads, $6\frac{1}{4}$ feet.

Rule 22. Special Locations and Variations. In special locations, such as over electric generating, power and transforming apparatus, over their controlling devices and switchboards, where water from the fire extinguishing equipment would be detrimental, the sprinkler lines and heads may be omitted at the discretion of the administrative official having jurisdiction, and when in his judgment a slight variation of this rule of spacing is desirable to effect a more efficient distribution of water for fire extinguishing purposes, the sprinkler lines and heads shall be spaced as he may direct.

Rule 23. Sprinkler Position. All sprinkler heads shall be located, wherever possible, in an upright position on top of the pipes, except that sprinkler heads on automatic wet pipe systems may be pendant on concealed piping and when construction or occupancy of a room or enclosure makes it preferable.

(a) Where standard one-half ($\frac{1}{2}$) inch heads are installed sprinkler deflectors shall be parallel to ceilings, roofs or the incline of stairs, but when installed in the peak of a pitched roof they shall be horizontal. Distance of deflectors from ceilings of mill or other smooth construction, or bottom of joists of open joist construction, shall be not less than three (3) inches nor more than ten (10) inches.

In fireproof buildings, the distance between deflectors and panel ceilings shall not exceed fifteen (15) inches.

(b) Where Conran* heads are installed, the top of head shall be located the same distance below joists or ceiling as specified for deflectors in paragraph (a) of this rule; except that when heads are located under pitched roofs or piers or similar structures, they shall in general be installed in the upright position (not normal to slope of roof) and three (3) feet vertically below the underside of roof. When the administrative official having jurisdiction deems a

variation of this rule advisable to obtain a more efficient distribution of water, the heads shall be located with respect to joists or ceiling, as he may direct.

Rules 24. Spray Clearance. Not less than eighteen (18) inches effective clear space shall be left below the sprinkler heads, so that they may discharge an unbroken spray blanket from sprinkler to sprinkler and sides of room when in operation. Any stock piles, racks or other obstructions interfering with such action shall not be permitted. Sprinkler system piping shall not be used for the support of stock, clothing, etc.

Rule 25. Pipe Sizes. The number of heads on a given size pipe in one fire area in any story shall not exceed the following:

(a) For standard one-half ($\frac{1}{2}$) inch heads—

Size of Pipe	Maximum No. of Heads Allowed
$\frac{3}{4}$ inch	1 head
1 " "	2 heads
$1\frac{1}{4}$ " "	3 " "
$1\frac{1}{2}$ " "	5 " "
2 " "	10 " "
$2\frac{1}{2}$ " "	20 " "
3 " "	36 " "
$3\frac{1}{2}$ " "	55 " "
4 " "	80 " "
5 " "	140 " "
6 " "	200 " "
7 " "	300 " "
8 " "	420 " "

(b) For Conran* one (1) inch heads—

Size of Pipe	Maximum No. of Heads Allowed
1 inch	1 head
$1\frac{1}{4}$ " "	2 heads
$1\frac{1}{2}$ " "	3 " "
2 " "	4 " "
$2\frac{1}{2}$ " "	6 " "
3 " "	9 " "
4 " "	18 " "
5 " "	34 " "
6 " "	51 " "
7 " "	75 " "
8 " "	105 " "

(c) For Conran one and one-quarter ($1\frac{1}{4}$) inch heads—

Size of Pipe	Maximum No. of Heads Allowed
$1\frac{1}{4}$ inch	1 head
$1\frac{1}{2}$ " "	2 heads
2 " "	3 " "
$2\frac{1}{2}$ " "	4 " "
3 " "	6 " "
4 " "	12 " "
5 " "	21 " "
6 " "	40 " "
7 " "	60 " "
8 " "	84 " "

When it is desired to use pipe of larger size than eight (8) inches in diameter, special ruling will be required by the administrative official having jurisdiction as to the permissibility of its use and the number of heads that may be fed thereby.

Where practicable, it is desirable to arrange the piping so that the number of heads on a branch line will not exceed eight.

When the piping is arranged on the "gridiron" plan, the permissible number of heads may be doubled, provided the feed main is of the size indicated in the schedule for the total number of heads.

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Where feed mains supply branch lines of only two heads each, the conditions approach those of long single lines. Such feed mains shall usually be centrally supplied where there are over eight (8) or ten (10) branch lines. Branch lines up to fourteen (14) in number may be fed from end, provided a two and one-half ($2\frac{1}{2}$) inch pipe does not supply more than sixteen (16) standard one-half ($\frac{1}{2}$) inch heads, in lieu of twenty (20).

Building having slatted floors, or large unprotected floor openings without approved stops, shall be treated as one room with reference to the pipe sizes, and the feed main shall be of sufficient size to accommodate the number of heads called for. Larger pipe sizes than are allowed in the schedule for a given number of heads may be required wherever the construction or conditions introduce unusually long runs of feed mains or many angles. Buildings with blind attics with small, unprotected openings to floor below, may be piped from the system on the ceiling of floor below, provided pipe size schedule is not overloaded on sizes three (3) inches or under.

Rule 26. Feed Mains. The size of feed mains shall not be less than the size of riser and shall be arranged to run as direct as possible from source of water supply to riser.

Feed mains for stair or other towers without approved stops between floors, when piped on independent riser, shall be of sufficient size to accommodate the total number of sprinklers in such tower.

Rule 27. Risers. There shall be one or more separate risers in each building and in each section of the building divided by fire walls. Risers shall be arranged to provide "Center Central" or "Side Central" supply to feed main. Each riser shall be of sufficient size to supply all the heads on said riser in one story, according to the schedule of pipe sizes in Rule 15.

If the conditions warrant, special permission will be granted allowing the heads in a fire section of small area to be fed from the risers in another section, provided the total number of heads in such area does not exceed the following number per floor:

- (a) For standard one-half ($\frac{1}{2}$) inch heads, 48.
- (b) For Conran* one (1) inch heads, 12.
- (c) For Conran* one and one-quarter ($1\frac{1}{4}$) inch heads, 8.

Risers shall not be located close to windows, properly protected from mechanical injury and freezing and shall be properly supported on foundations and by floor plates, clamps, couplings or approved hangers.

Rule 28. Connections Prohibited. No connections, such as for sill cocks, house service or hose outlets, shall be made with a sprinkler system riser or any part thereof except as provided for in rule 9.

Rule 29. Air Lock Adjustment. Where gravity and pressure tanks feed through a common discharge pipe or "dead riser" to the foot of a riser and an air lock is likely to develop the discharge pipe of the gravity tank shall connect with the discharge pipe, or "dead riser," forty (40) feet below the bottom of the pressure tank.

Rule 30. Pipes and Fittings. All pipe shall be full-weight standard wrought iron or steel threaded pipe, well reamed and screwed up tight into fittings without reducing the waterway. Fittings shall be standard cast iron fittings, and shall be long turn pattern on feed mains and risers.

Such fittings shall be designed and guaranteed for a working pressure of 150 pounds per square inch and must be capable of withstanding a hydrostatic test pressure of 750 pounds per square inch without failure.

All pipe shall be secured to the ceiling, walls and other parts of the building with standard steel, wrought or malleable iron hangers.

Extra heavy fittings shall be employed where the normal pressure in the pipe system exceeds one hundred and fifty (150) pounds per square inch, and shall be designed for a working pressure of 250 pounds per square inch and be capable of withstanding a hydrostatic test pressure of 1,250 pounds per square inch without failure.

All underground pipe shall comply with the specifications for cast iron pipe of the American Water Works Association.

Rule 31. Protection of Pipes and Sprinklers. When exposed to moisture, sprinkler pipes and hangers shall be protected against corrosion whenever found necessary by thoroughly cleaning the pipe of all scale and grease and painting with a coat of red lead and linseed oil paint or other acceptable moisture resistive paint. When exposed to chemical fumes, the pipe and fittings shall be coated with graphite or other approved chemical resistive paint. Care shall be taken not to paint the sprinkler heads.

Supply pipes of risers in low basements or low spaces under ground floors exposed to frost, shall be properly protected by a masonry or wood enclosure, properly heated or filled with mineral wool, sawdust or tar mixed with granulated cork, extending below bottom of pipe and through the top flooring of ground floor, or the pipe shall be protected with three alternate layers of one-inch hair felt and building paper or by other approved method. When of wood, such enclosure shall be constructed double with a layer of tar paper between the two thicknesses of wood.

Where risers, drains, heating pipes, etc., pass through cinder concrete floors or partitions, they shall be protected with a metal sleeve or be grouted with cement mortar.

Wherever sprinklers are exposed to corrosion, the heads shall be protected with an approved hermetically sealed cover, or with an approved wax coating.

Rule 32. Drainage. All sprinkler pipe and fittings shall be so installed that they can be thoroughly drained, and where practicable, all piping shall be arranged to drain at the main drips.

Drains or drip pipes shall be so arranged as not to expose any part of the sprinkler system to frost, and shall be so connected, either by check valves or other means, that they will not overflow domestic service or other connections to the same sewer or house drain, or if carried through the wall and exposed to the weather, they shall be fitted with hoods or down-turned elbows.

Drains, pitched not less than one-quarter ($\frac{1}{4}$) inch in ten (10) feet, shall be installed:

- At the base of the main riser;
- At each alarm valve;
- At each dry-pipe valve;
- At each gravity tank;
- At each pressure tank;
- At each fire department connection;

On each floor, if independent floor control valves are used; and

At each supply main, when the water in the same cannot be removed through any of the above drains. Such drains shall be installed with controlling valves so that flowing tests may be made to determine if the water supplies or connections from yard mains to the inside of the building are in order without causing water damage or overflowing service connections to the same house drain. Any such drain shall be not less than two (2) inches in size except that drains at independent floor valves shall be not less than 1 inch in size where floor valves are not over $2\frac{1}{2}$ inches in size and $1\frac{1}{4}$ inches where floor valves are larger and connected to main drain riser of not less than $1\frac{1}{2}$ inches in size. The drain at the main riser shall discharge into a cone or sight drain, or if carried through the wall and exposed to the weather, it shall be fitted with a hood or down-turned elbow.

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At an alarm valve at the top of a riser in a down-fed system a drain shall not be required.

On automatic wet pipe systems, the horizontal branch pipes shall be pitched not less than one-quarter ($\frac{1}{4}$) inch (10) feet to drain towards the sources of supply with pipe valves at the low points.

On automatic dry-pipe systems, branch pipes shall be pitched at least one-half ($\frac{1}{2}$) inch in ten (10) feet.

Rule 33. Test Pipe. In all wet-pipe automatic sprinkler systems a test pipe of not less than $\frac{3}{4}$ inch in diameter shall be connected directly with each system but shall be connected to a pipe of not less than $1\frac{1}{4}$ inches in diameter on upper story and arranged to discharge through a $\frac{1}{2}$ -inch brass outlet, preferably to a point where it can readily be seen. With long runs or many angles, size of test pipe could be increased to one (1) inch or larger. Controlling valve should be located at a sufficient distance from where the test pipe passes through the wall of the building so as to reduce to a minimum the chance of freezing of water in test pipe.

In all dry-pipe automatic sprinkler systems a $\frac{3}{4}$ -inch inspector's test pipe shall be installed at the end of the most distant branch line and fitted with $\frac{3}{4}$ -inch shut-off valve capped with a brass plug.

Rule 34. Pressure Gauges. A four and one-half ($4\frac{1}{2}$) inch double-spring Bourdon pressure gauge shall be provided in all automatic sprinkler systems as follows:

Above dry-pipe valves;
Below dry-pipe valves;
At the pressure tank;
At the air compressor;
Above the alarm valves;
Below the alarm valve; and
In the connections from city water supply.

Provision may be made for taking the pressure both above and below the alarm valve and the dry-pipe valve with only one gauge at each valve.

A gauge shall not be required at an alarm valve located at the top of a riser in a down-fed system.

Gauge connections shall be taken from the supply main or riser and not from the two-inch drain or test pipe.

Gauges shall be installed in a suitable place protected from freezing and be controlled by a valve with arrangements for draining. A plugged outlet, not less than one-quarter ($\frac{1}{4}$) inch in size, shall be located between each valve and gauge for purpose of installing the inspector's gauge.

Rule 35. Valves. All valves two (2) inches in diameter and under shall be of brass or bronze, or other approved non-corrodible material. Valves over two (2) inches in diameter shall be of brass, or bronze or iron body, brass mounted, or of other approved non-corrodible material.

All sidewalk siamese inlet valves, caps and chains shall be of galvanized cast iron or other approved non-corrodible material.

All gate valves shall be solid or double wedge disc, stuffing box pattern with hand wheel, outside screw and yoke, or other approved indicator pattern.

All check valves shall be approved straightway regrinding pattern, so built that the clappers may be readily removed for repairs.

Rule 36. Water Supply Gate Valves. The piping connecting each source of water supply with the sprinkler system shall be provided with a gate valve of the outside screw and yoke type, sealed open and tagged to designate its purpose, so located as to control each source of water supply except that from fire department hose connections. All such gate valves shall be located within the building where easily visible and readily accessible and as close as possible to the supply inlet.

Rule 37. Water Supply Check Valves The piping connecting each source of water supply with the sprinkler system, including fire department connections, shall be provided with a check valve.

On two-source systems, check valves shall have a gate valve on each side to permit repair of check without shutting off both supplies, except that where the two sources of supply consist of tanks located above the highest line of sprinklers, a gate valve need only be provided on the downstream side of each check valve.

Rule 38. Control Valves. All automatic sprinkler systems shall be provided with a main control or shut-off valve arranged to be readily accessible as near the stairways or fire tower as possible and sealed in the open position; except that when the sprinkler system is fed from water supplies on the roof of the building, independent and readily accessible floor control valves, sealed in the open position, may be installed.

When not more than ten (10) standard one-half ($\frac{1}{2}$) inch sprinkler heads or three (3) Conran* heads in any automatic wet pipe system are exposed to cold and subject to freezing, shut-off valves may be provided to discontinue the water supply to such heads between November 1 and April 1. A greater number of heads than specified above, located in places which cannot be properly heated, shall be controlled by an automatic dry-pipe valve.

Rule 39. Dry-Pipe Valves. A dry-pipe valve shall be taken to mean a valve automatically controlling the water supply of the sprinkler system in such a manner that under normal conditions its piping system beyond the valve is maintained dry, but in the event of fire the valve automatically releases the water into the sprinkler system, for fire extinguishing purposes.

Dry-pipe valves shall, for the purpose of these rules, be classified as follows:

Type A, in which the valve is actuated by the release of compressed air in the sprinkler piping system, due to the opening of a sprinkler head; and

Type B, in which the valve is actuated by an approved trip under electric control of an approved automatic thermostatic fire alarm system.

Dry-pipe valves shall be located as near as practicable to the sprinkler system in an enclosed and accessible place protected from mechanical injury and freezing.

Automatic wet-pipe sprinkler systems in which only twenty-five per cent. (25%) of the heads are required to be maintained dry for protection from freezing, shall have only such heads under dry-pipe valve control.

(a) When "Type A" valve is installed, the air pressure in sprinkler systems under such dry-pipe valve control shall not exceed forty (40) pounds per square inch, nor be permitted to fall below twenty-five (25) pounds per square inch, nor shall it be less than one-sixth ($\frac{1}{6}$) of the water pressure in any case.

The air compressor shall have a capacity of not less than eleven (11) cubic feet per minute and the air supply for the pump shall be taken, if possible, from a room containing dry air, or it shall be passed through a drying chamber containing calcium chloride, in order to avoid the introduction of moisture into the system.

The air pressure on such dry-pipe systems shall be maintained throughout the year.

Not more than the following number of heads shall be controlled by one "Type A" dry-pipe valve:

(b) For standard one-half ($\frac{1}{2}$) inch heads.....	400
(c) For Conran* one (1) inch heads.....	100
(d) For Conran* one and one-quarter ($1\frac{1}{4}$) inch heads	64

Where equipped with an approved quick-opening device the following number of heads may be controlled by one "Type A" dry-pipe valve:

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(e) For standard one-half (1/2) inch heads.....	600
(f) For Conran* one (1) inch heads.....	150
(g) For Conran* one and one-quarter (1 1/4) inch heads	96

(h) When "Type B" valve is installed the actuating alarm system shall be designed to operate at a temperature lower than that required to open the sprinkler heads, and all connections between the alarm system and the dry-pipe valve shall be adequately protected against injury of any kind.

When required by the administrative official having jurisdiction, the dead end of every feed main in such dry-pipe system shall be provided with an air relief valve or vent, so constructed as to be normally open in order to permit the free escape of air from the system, but to close automatically against the escape of water.

Not more than the following number of heads shall be controlled by one "Type B" dry-pipe valve:

(i) For standard one-half (1/2) inch heads.....	600
(j) For Conran* one (1) inch heads.....	150
(k) For Conran* one and one-quarter (1 1/4) inch heads	96

Rule 40. Alarm Valve. All automatic wet pipe sprinkler systems shall be equipped with an alarm valve so constructed that a flow of water through a one-half (1/2) inch orifice will operate an electric or mechanical gong.

Dry pipe valves shall be equipped with a reliable device to give either an electrical or mechanical alarm.

When an electrically operated alarm is installed in connection with an alarm valve or dry pipe valve, the installation shall be made in conformity with the provision of Rule 41.

Rule 41. High and Low Water. Electric Alarm on Gravity and Pressure Tanks. All gravity tanks shall be equipped with a device to indicate when the water falls below or rises above the normal level in the tank, with an indicator and alarm located in the engineers' room near the pump.

All gravity and pressure tanks shall be equipped with a high and low alarm as hereinafter specified. The high and low gravity and the high and low pressure electric alarm shall be so constructed and arranged that when the water falls below or rises above the normal level in the gravity tank, and when the pressure falls below or rises above the predetermined level in the pressure tank, an audible and visible signal will be given in either the pump room or engineer's room.

The audible signalling device for high and low water and high and low pressure electric alarm shall consist of a vibrating gong of at least 3 inches in diameter of the enclosed type and arranged for conduit installation, the same to be operated automatically from an approved device indicating the level of water in the gravity tank and from the pressure gauge of pressure tank.

The audible signalling device for the alarm and dry pipe valves shall consist of an enclosed type 6-inch vibrating gong arranged for conduit installation. A closed circuit annunciator shall be provided in connection with the alarm system. The high and low tell-tale electric connections shall be so constructed that it will not be affected by moisture and the part shall be heavy and rugged. The float shall be of approved type.

All wiring shall be installed in iron or steel conduits and the installation shall be in accordance with the provisions of Chapter 9 of the Code of Ordinances. Only approved closed circuit systems shall be installed. Control panels to operate the signalling equipment must be approved by the Board of Standards and Appeals. The control cabinet shall be located in the engineer's or pump room where it will be under the supervision of the person in charge of the sprinkler system.

The following sources of energy may be employed and are given in their order of preference:

1. Public utility electric light and power systems.
2. Electric light or power system (public utility or isolated plant) supplemented by storage battery either controlled by an automatic throw-over device or floating on the line and protected by a reverse current circuit breaker.
3. Storage batteries in duplicate.
4. Primary batteries of the closed circuit type.

When the system is connected to the 110 volt lighting service a suitable cut-out is to be provided and it shall be enclosed in a locked or sealed metal cabinet. The connection to the system shall be the first connection on the house side of and as near as practicable to the meter. When batteries are used to operate the system they shall be placed in an approved cabinet provided with a lock and key.

Rule 42. Heating of Tanks. The water in all sprinkler tanks subject to freezing shall be protected by internal heating the water or enclosing the tank in a frostproof house properly heated and lighted.

Rule 43. Concealed Pipe Systems. All pipe in concealed pipe systems shall be of standard full-weight wrought iron or steel, painted with two coats of protective paint, one before and one after installation. Such pipe shall be installed in ducts or be encased in cement mortar shall be inspected prior to concealment. When installed in the concealed space between floor arches and ceiling, such pipe shall be supported by hangers and all pipe, fittings and hangers be protected with two coats of paint.

Rule 44. Preparation of Building. Floor or wall openings and other structural defects which prevent the banking up of heated air and retard the automatic action of sprinkler heads shall be provided with the necessary curtain boards and draft stops to permit specific control of the fire by the local sprinklers.

Curtain boards shall project at least three (3) inches below the lowest sprinkler.

Rule 45. Approval of Sprinkler System. Before acceptance all automatic sprinkler systems, excluding the water supply tanks, shall be subjected after installation to a hydrostatic pressure test of at least one (1) hour's duration at not less than fifty (50) pounds per square inch in excess of that which will be normally carried and observed in the sprinkler system, such test pressure, however, to be not less than one hundred and fifty (150) pounds per square inch in any part of the system.

All pressure tanks shall be tested after erection to a test pressure of one and one-half (1 1/2) times the working pressure. To prevent the possibility of serious water damage in case of a break, the pressure shall be maintained by a small pump, the main controlling gate being meanwhile kept shut. Brine or other corrosive chemicals shall not be used for testing systems.

In automatic dry-pipe systems with "Type A" valve control, an air pressure of forty (40) pounds per square inch shall be pumped up, be held for twenty-four (24) hours and all leaks stopped which allow a loss of pressure of over two (2) pounds per square inch for the twenty-four (24) hours.

In the case of automatic dry-pipe systems with differential "Type A" valve, the valve shall be held off its seat during the test to prevent injuring the valve.

Non-automatic systems shall be tested after installation at not less than fifty (50) pounds per square inch in excess of the pressure necessary to reach the highest line of sprinklers.

All tests of installed systems shall be made by the contractor in the presence of the Fire Commissioner, or his authorized representative.

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No piping, devices nor any portion of a newly constructed sprinkler system shall be covered up or permanently concealed until tested by the Bureau of Fire Prevention and approved of in writing, except piping passing rough floors, walls, partitions or beams for distances equal to the thickness of such floors, walls, partitions or beams.

Rule 46. Non-fireproof Business Buildings. Automatic sprinklers required in non-fireproof business buildings under the provisions of Chapter 5, Article 4, Section 72, Subdivision L, Code of Ordinances, shall consist of at least One Automatic Source System, except buildings used as freight depots, car barns, stables, garages, factories and grain elevators which sprinkler systems shall be supplied by any two of the automatic sources or one of the automatic sources and a fire pump as described in rules 9 and 10.

Rule 47. Department Stores. Wet sprinkler systems shall be required in all department stores and where the floor area on any story or cellar exceeds 20,000 square feet, the system shall be supplied by two of the automatic sources as provided for in Rule 14.

Rule 48. Factories and Other Buildings. Where the Labor Law or the Code of Ordinances require automatic sprinkler systems, or where any of the requirements of the Labor Law or Code of Ordinances are waived because of the installation of an automatic sprinkler system, such sprinkler systems, unless specifically otherwise required by the Fire Commissioner, Code of Ordinances, Labor Law, or these rules, shall have at least the following sources of supply installed in accordance with these rules:

1. A Gravity tank and siamese, or
2. A Pressure tank and siamese, or
3. A direct 6 inch connection to the City water supply in two ways, capable of furnishing water at not less than 15 pounds per square inch static—pressure at the highest line of sprinklers below the main roof, and the required siamese.

Rule 49. Theatre Buildings. Automatic sprinklers required in theatre buildings under the provisions of Chapter 5, Article 25, Section 524, Code of Ordinances, shall consist of at least a One Source Automatic System.

Rule 50. Firework Storage. Automatic sprinklers required in buildings in which fireworks are stored or sold under the provisions of Chapter 10, Article 6, Section 92, Code of Ordinances, shall consist of either of the two automatic sources as provided in Rule 14.

Rule 51. Nitro-Cellulose Products. Automatic sprinklers required in buildings in which nitro-cellulose products are stored under the provisions of Chapter 10, Article 6, Section 232, Code of Ordinances, shall consist of a system supplied from both approved gravity tank supply and an approved pressure tank supply, except that no change shall be required in supplies to automatic sprinkler equipments previously approved by the Fire Commissioner as two source systems, in conformity with the provisions of this rule as in force up to December 1, 1921.

In buildings wherein are stored or handled only limited quantities of nitro-cellulose products, not exceeding 500 pounds, the automatic sprinklers may consist of either of the two automatic sources as provided for in Rule 14.

Rule 52. Inflammable Motion-Picture Films. Automatic sprinklers, required in buildings in which inflammable motion-picture films are stored under the provisions of Chapter 10, Article 20, Section 241, Code of Ordinances, shall consist of a system supplied from both an approved gravity tank supply and an approved pressure tank supply except that no change shall be required in supplies to automatic sprinkler equipments previously approved by the Fire Commissioner as two source systems in conformity with the provisions of this rule as in force up to December 1, 1921.

Rule 53. Sprinkler Protection for Special Hazards in Non-Sprinklered Buildings Not Provided for by Laws or Ordinance or in These Rules.

Sprinkler heads and piping may be provided on ceilings of enclosed rooms, closets, shafts, or other spaces which are used as carpenter shops, upholstering rooms, paint shops, waste paper rooms, old record storerooms, trunk and general storage rooms in hotels, offices or other buildings, and in stores and showrooms or where nitro-cellulose products or inflammable photographic or X-ray film is stored or used, or in ice boxes of cold storage plants.

The number and type of sprinkler heads, spacing and size of pipe, location and number of valves, method of draining lines, water flow or other alarms, shall be as required by the Fire Commissioner to properly protect the special hazard.

The source of water supply where required may be taken from the house supply tank or other sources of water supply, except that no connection shall be taken from the standpipe system or from the feed line to boilers. In all cases there shall be sufficient water to provide 20 gallons of water per head for 30 minutes and, further, that the pressure on any sprinkler line shall, where practicable, be not less than 15 pounds static pressure.

Rule 54. Existing Installations and Approvals. Automatic sprinkler systems and devices heretofore installed shall not be required to conform to these rules where the fire hazard due to construction and occupancy of the building is not increased or where substantial additions or extensions in height or area is made to the building when these rules shall apply if deemed advisable or necessary by the Fire Commissioner.

Rule 55. Communicating Openings. When a building fully equipped with sprinklers communicates with another not so equipped the openings must be protected by approved fire doors on both sides of the wall, one of which must be automatic.

Rule 56. Maintenance Inspection. Automatic sprinkler systems shall be inspected at least once a month by the person in charge of the building, or by other competent person employed by the owner, to see that all parts of the system are in perfect working order, and the fire department connection or connections, if any, ready for immediate use by the Fire Department. A detailed record of each inspection shall be kept for examination by a representative of the Fire Department.

There shall be kept available at all times in the premises a supply of extra sprinklers, never less than six (6), to replace promptly any fused or damaged sprinklers. And there shall be one or more employees instructed in the maintenance of sprinkler system.

Saving Clause. All rules and regulations previously adopted and conflicting with these rules are hereby rescinded.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	1
Cases filed up to January 10, 1934.....	3	Dismissed	0
Restored to Calendar.....	4	Denied	4
		Granted	0
		Granted on condition.....	6
		Appliances approved	2
		Appliances dismissed, disapproved or withdrawn....	1
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	8	Requests to reopen granted.....	7
Requests to amend.....	4	Requests to reopen denied.....	1
Requests for modification.....	0	Requests to amend granted.....	4
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	0	Requests for modification granted.....	0
Requests for extension of permit.....	0	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	1	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	0
Requests for interpretation.....	0	Requests for extension of time denied.....	0
Total	232	Requests for extension of permit granted.....	0
Disposed of	27	Requests for extension of permit denied.....	0
Cases pending January 10, 1934.....	205	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	1
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	0
		Requests withdrawn or dismissed.....	0
		Total.....	27

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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JAN 30 1934

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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VINCENT C. PEPPE

BERNARD A. SAVAGE

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, January 16, 1934, 10 A. M.

Minutes of Regular Meeting, January 16, 1934, 2 P. M.

Corrections.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Approved Burners for Industrial Use.

Reserve Calendar.

Approved Fireline Hose Valves.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, January 22, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, January 29, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to January 17, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
5-34-BZ.....	D.B.M....	15 East 61st st. (Block 1376, Lot 12), Man., Alt. 24-1934
4-34-BZ.....	D.B.Bx...	4025-4029 White Plains road (Block 4829, Lot 11), Bx., N. B. 1-1934

Restored to Calendar.

315-33-BZ.....	D.B.Q....	Southeast cor. Astoria ave. and 44th st. (Block 717, part of Lot 29), Astoria, Q., N. B. 802-1933.
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
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Factory Exit Rules.....	Nov.	14, 1933—Vol. 18 No. 46
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Fuel Oil Burners for Industrial Use.....	Jan.	23, 1934—Vol. 19 No. 4
Fuel Oil Pumps.....	Jan.	23, 1934—Vol. 19 No. 4

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 22, 1934, AT 2 P. M.

Building Zone Cases.

77-33-BZ.

APPLICANT—Anthony P. Sorice, Jr., for Vincent J. Repaci, owner.

PREMISES—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

273-33-BZ.

APPLICANT—Goldwater and Flynn and Samuel Rosenblum, for R. V. W. Realty Corp., owner.

PREMISES—West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

330-33-BZ.

APPLICANT—Charles M. Lobejager, for Harry Sheer, owner.

PREMISES—North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

332-33-BZ.

APPLICANT—Charles A. Carey, for Whitnoyl Corp., owner.

PREMISES—14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles.

JANUARY 23, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 23, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 137-33-BZ—Application, April 12, 1933, under section 21 of the building zone resolution, of Joseph A. Marck, applicant, on behalf of Jeffem Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Reeves avenue and Kissena boulevard (Block No. 2168, Lot Nos. 1 and 9), Flushing, Borough of Queens.

CAL. NO. 279-33-BZ—Application, August 24, 1933, under section 21 of the building zone resolution, of James J. Munro, applicant, on behalf of Newman Building Co., Inc., owner, to permit in a business district the erection and maintenance of a

CALENDAR

gasoline service station; premises Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, part of Lot No. 29), Jamaica South, Borough of Queens.

AL. NO. 310-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Rutherford S. Moorhead, applicant, on behalf of Henry A. Meyer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1872-1890 Gerritsen avenue, southwest corner of Brown street (Block No. 6838, Lot No. 1), Brooklyn.

AL. NO. 311-33-BZ—Application, September 26, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Henry C. Mecke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 5709-5717 Church avenue, north side, 67'6 3/4" east of East 57th street (Block No. 4683, Lot No. 36 1/2 and part of Lot Nos. 42 and 44), Brooklyn.

AL. NO. 312-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of M. Joseph Harrison, applicant, on behalf of Joseph Halpert, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Merrick road and Linden boulevard (Block No. 3104, part of Lot No. 1), St. Albans, Borough of Queens.

AL. NO. 321-30-BZ—Application, May 9, 1930, under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; laid over for a full vote of board December 23, 1930; application of Kennedy & Ellner, applicants, on behalf of Summerville Realty Co., Inc., present owner; restored to Calendar December 15, 1933; premises northwest corner of Union turnpike and Parsons boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 23, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

AL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to

permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

CAL. NO. 294-33-BZ—Application, September 12, 1933, under section 21 of the building zone resolution, of Theodore C. Krautter, applicant and owner, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises 189-21 Linden boulevard (Block No. 1955, Lot No. 28), St. Albans, Borough of Queens.

CAL. NO. 307-33-BZ—Application, September 22, 1933, under section 21 of the building zone resolution, of M. Joseph Harrison, applicant, on behalf of 1758 Coney Island Avenue Realty Co., Inc., owner, to permit in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop and, also, the inclusion of a gasoline service station; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Brooklyn.

CAL. NO. 101-32-BZ—Application, February 29, 1932; individual garages granted on certain conditions June 17, 1932; reopened November 14, 1933, under section 21 of the building zone resolution, of Joseph Schafran, applicant, substituted for Charles S. Clark, on behalf of Thema Rosen, owner, to permit, partly in a business district and partly in an unrestricted district, the maintenance of an open air parking space for more than five (5) cars and the installation of two (2) gasoline tanks and pumps as accessory to the parking space and individual garages; premises west side of Bailey avenue, 182 ft. south of West 230th street (Block No. 3264, Lot No. 70), The Bronx.

CAL. NO. 217-33-BZ—Application, June 12, 1933, under section 21 of the building zone resolution, of Benjamin N. Brody, applicant, on behalf of Hattie Schrage, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Springfield boulevard and 110th road (Junior place), (Block No. 2038, Lot No. 28), Jamaica, Borough of Queens.

CAL. NO. 292-33-BZ—Application, September 8, 1933, under section 21 of the building zone resolution, of Joseph H. Goldstein, applicant, on behalf of Bonomo Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2729-2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

JANUARY 26, 1934, 10 A. M.

SPECIAL MEETING.

Appeals from Administrative Orders.

- 270-33-A—2534 Eastern boulevard, south side, 440 ft. east of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.
338-33-A—700 Eighth avenue (Block No. 1016, Lot No. 1), Manhattan.
361-33-A—67-69 Irving place (Block No. 874, Lot No. 17), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, January 26, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 202-33-BZ—Application, June 2, 1933, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Kapet Holding Corp., owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of Gun Hill road and Mickle avenue (Block No. 4786, Lot No. 36), The Bronx.

CAL. NO. 68-33-BZ—Application, February 20, 1933, withdrawn June 13, 1933; reopened and restored to Calendar September 19, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of M. C. R. Holding Corp., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

CAL. NO. 344-33-BZ—Application, November 10, 1933, under sections 7a, 7c and 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Parkville Amusement Corp., owner, to permit in a residence district the erection and maintenance of a recreation centre; premises 1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

CAL. NO. 313-33-BZ—Application, September 29, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Isaac Klapper, owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

CAL. NO. 337-33-BZ—Application, November 8, 1933, under sections 7f and 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of City Bank Farmers

Trust Co., as trustee of Estate of William Waldorf Astor, to permit in business district the maintenance of parking space for more than five (5) motor vehicles; premises East Side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), The Bronx.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 29, 1934, AT 2 P. M.

Building Zone Cases.

308-33-BZ.

APPLICANT—Jacob E. Hurwitz, for Alice Fadool, owner.

PREMISES—195 Prospect Park West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use.

374-33-BZ.

APPLICANT—John H. Scheier, for Manufacturers Trust Co., owner.

PREMISES—2400-2412 Flatbush avenue, N. W. Cor. of Avenue T (Block No. 8528, Lot Nos. 1 & 72), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

339-33-BZ.

APPLICANT—Martin J. Ort, for Otnas Realty Inc., owner.

PREMISES—14-57 29th avenue, N. W. Cor. 21st street (Block No. 538, Lot Nos. 46 & 48), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

335-33-BZ.

APPLICANTS—Wood & Marshall, for Marshall Contracting Co., Inc., owner.

PREMISES—5563-5573 Kings Highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 & 9), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

JANUARY 30, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1934, at 10 o'clock, in Room 1013, Municipal Building on the following matters:*

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L. NO. 205-29-BZ—Application, March 27, 1929; gasoline service station granted for a temporary period of two (2) years on July 26, 1929; extension of temporary permit granted July 14, 1931; further extension granted July 14, 1933; reopened September 19, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Whitestone Service Station, Inc., present owner, to permit, partly in a residence district and partly in a business district, the permanent maintenance of a gasoline service station; premises 157-30 Willets Point boulevard (Block No. 619, Lot No. 15), Whitestone, Borough of Queens.

L. NO. 317-33-BZ—Application, October 11, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Dickel Construction Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

L. NO. 334-33-BZ—Application, October 27, 1933, under section 21 of the building zone resolution, of Charles Lobejager, applicant, on behalf of Harry Sheer, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

L. NO. 242-33-BZ—Application, June 30, 1933, under section 21 of the building zone resolution, of Edward V. McKeown, applicant, on behalf of 1351 Boscobel Avenue Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

L. NO. 318-33-BZ—Application, October 11, 1933, under sections 7e, 7g and 21 of the building zone resolution, of Jerome F. Healy, Jr., applicant, on behalf of Benedicta Vetter, owner, to permit in a business district the conversion of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 2259-2261 Washington avenue, west side, 101 ft. north of East 182nd street (Block No. 3038, Lot No. 35), The Bronx.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 30, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 30, 1934, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters:

CAL. NO. 147-33-BZ—Application, April 19, 1933, under section 21 of the building zone resolution, of Celler & Kraushaar, applicants, on behalf of Arseekay Syndicate, Inc., owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises north side of Queens boulevard, 333.03 ft. east of 56th avenue (Block No. 1845, Lot No. 41), Elmhurst, Borough of Queens.

CAL. NO. 297-33-BZ—Application, September 12, 1933, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Teresa C. McGroddy, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises east side of Sedgwick avenue, 150.19 ft. north of Undercliff avenue (Block No. 2538, part of Lot No. 3), The Bronx.

CAL. NO. 304-33-BZ—Application, September 18, 1933, under section 21 of the building zone resolution, of Michael Leone, applicant, on behalf of Vincenzo Mascoli, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building (dwelling) to business use (stores); premises 838 Washington avenue (Block No. 1176, Lot No. 97), Brooklyn.

CAL. NO. 305-33-BZ—Application, September 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of William Berg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 104-106 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot Nos. 38 and 40), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, FEBRUARY 5, 1934, AT 2 P. M.

Building Zone Cases.

354-33-BZ.

APPLICANT—Joseph B. Schwartz, for Edlar Realty Corp., owner.

PREMISES—Northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

356-33-BZ

APPLICANT—Jack Fein, for Enmor Realty Corporation, owner.

PREMISES—2628-2632 Avenue V, northwest corner of Ocean avenue (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,
TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of a business building (stores).

CALENDAR

366-33-BZ

APPLICANT—Thomas D. Conroy, for Marie Whitehurst Conroy, owner.

PREMISES—71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

APPLICATION, under section 7b of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the alteration and change of occupancy of part of an existing building from dwelling to business use.

380-33-BZ

APPLICANT—Joseph B. Schwartz, for Frank Teltsch, owner.

PREMISES—475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

ment house from dwelling to business use; premises northeast corner Grand concourse and East 203rd street (Block No. 3309, Lot No. 42), The Bronx.

CAL. NO. 320-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of John A. Cosgrove, applicant on behalf of Gottel Radish, owner, permit in a business district the erection and maintenance of a gasoline service station; premises 4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Borough of Richmond.

CAL. NO. 321-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of Hyman and Segall, applicant on behalf of Pennbrook Realty Co. Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Oak avenue and Jamaica avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens.

CAL. NO. 331-33-BZ—Application, October 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of Litvin Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1241-12 East New York avenue and 1420-14 Pitkin avenue (Block No. 1477, Lots Nos. 32, 33, 34, 35 and 48), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

FEBRUARY 6, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 6, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 276-33-BZ—Application, August 17, 1933, under section 21 of the building zone resolution, of James P. Boyland, applicant, on behalf of William Jay Building Corp., owner, to permit in a residence district the alteration and change of occupancy of part of an existing apart-

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 16, 1934.

Present: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott.

The minutes of the regular meeting of the Board, held on Tuesday morning, January 9, 1934, and the minutes of the regular meeting of the Board, held on Tuesday afternoon, January 9, 1934, were approved as printed in Bulletin No. 3, Volume XIX.

BUILDING ZONE CASES.

101-32-BZ.

APPLICANT—Joseph Schafran, substituted for Charles S. Clark, for Thema Rosen, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business and partly in an unrestricted district, the maintenance of an open air parking space for more than five (5) cars and the installation of two (2) gasoline tanks and pumps as accessory to the parking space and individual garages, these garages having been previously granted by the board (reopened November 14, 1933).

PREMISES AFFECTED—West side of Bailey avenue 182 ft. south of west 230th street (Block No. 320, Lot No. 70), The Bronx.

APPEARANCES—

For Applicant: Joseph Schafran, Philip Rosen.
For Opposition: Richard C. McAnany, Louis W. Kin.

ACTION OF BOARD—Laid over to January 23, 1934, 2 p. m., for report of committee on inspection.

217-33-BZ.

APPLICANT—Benjamin N. Brody, for Hattie Schrag owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Springfield boulevard and 110th road (Junior place) (Block No. 2038, Lot No. 28), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin N. Brody.
For Opposition: J. F. H. Masterson.

MINUTES

ACTION OF THE BOARD—Laid over to January 23, 1934, at 2 p. m., for report of committee on inspection.

92-33-BZ.

APPLICANT—Joseph H. Goldstein for Bonomo Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2729-2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.

APPEARANCES—

For Applicant: Joseph H. Goldstein.

For Opposition: Lillian H. Ascinn.

ACTION OF THE BOARD—Laid over to January 23, 1934, at 2 p. m., on request of attorney for opposition.

15-33-BZ.

APPLICANT—William J. Russell, for Russand Realty Co., owner.

SUBJECT—Application for reopening—restoration to calendar—re application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution).

PREMISES AFFECTED—Southeast corner of Astoria avenue and 44th street (Block No. 717, Part of Lot No. 29), Astoria, Queens.

APPEARANCES—

For Applicant: William J. Russell.

ACTION OF THE BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN:

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott	5
Negative	0
Absent	0

23-33-BZ.

APPLICANT—G. A. Schonewald, for Elgeo Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: Louis J. Witkin.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS:

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott	5
Negative	0
Absent	0

THE RESOLUTION—

(323-33-BZ)

WHEREAS, no one appeared when this case was called.
Resolved, that the application be and it hereby is dismissed for lack of prosecution.

185-33-BZ.

APPLICANT—William Richter, for Sadie Teitelbaum, owner.

SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the maintenance of an automobile wrecking and junk storage yard.

PREMISES AFFECTED—2284-2296 West 8th street and 129-143 Avenue W, northwest corner (Block No. 7142, Lot Nos. 48 and 53), Brooklyn.

APPEARANCES—

For Applicant: William Richter, Mrs. Sadie Teitelbaum.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott	5
Negative	0
Absent	0

THE RESOLUTION—

(185-33-BZ)

WHEREAS, William Richter, for Sadie Teitelbaum, owner, filed, May 15, 1933, an application under the building zone application to permit in a business district and partly in a residence district, an automobile wrecking and junk storage yard; premises: 2284-2296 West 8th street and 129-143 Avenue W, northwest corner (Block No. 7142, Lot Nos. 48 and 53), Brooklyn;

and
WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 16, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 8th street is in a business and residence district, Avenue W is in a business district and West 9th street is in a residence, business and unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 14, 1933, superseding decision rendered May 13, 1933, re Applic. No. 4179-1933, reads:

“Proposed wrecking of automobiles and junk storage partly in a business use and partly in a residential district are contrary to Art. II, Sect. 3 and Sect. 4a of Zone Resolution”;

and

WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. on West 8th street and 140 ft. on Avenue W—a small area—at the northwest portion of the plot—is in the residence district and the remainder is in the business district. Proposes to use the site for wrecking of automobiles and junk yard. There is located on the rear of the plot a frame shed and on a part of the front portion a one-story galvanized iron structure 20 ft. by 24 ft. and a grease pit; and

WHEREAS, the board deemed that applicant was entitled to relief under Sect. 21, for a temporary period.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, permitting the plot under appeal to be used for the wrecking of automobiles and the storage of second-hand automobile parts and second-hand plumbing supplies for a period of *two years*, from the date of this action, *on condition* that the entire plot shall be enclosed in a board fence on all sides and that no additional building shall be erected on the property other than the frame shed and the one-story, galvanized iron structure, now in existence as indicated on plans filed with this appeal.

MINUTES

540-30-BZ.

APPLICANT—John J. Dunnigan, for Peter Fiore, owner.
SUBJECT—Application for reopening—extension of time to complete work—re (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit, partly in a business district and partly in an unrestricted district, the erection and maintenance of garages for more than five (5) motor vehicles, and, also, a gasoline service station (previously granted on certain conditions and the time in which to obtain permits and complete work has expired).

PREMISES AFFECTED—Southeast corner of East 147th street and Southern boulevard (Block No. 2600, Lot No. 30), The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott 5
Negative 0
Absent 0

THE RESOLUTION—

(540-30-BZ)

WHEREAS, this application affecting premises, southeast corner East 147th street and Southern boulevard (Block No. 2600, Lot No. 30), Borough of The Bronx, was granted by the board January 20, 1933, on certain conditions, and applicant requests an extension of time.

Resolved, that the resolution adopted by the board January 20, 1933, insofar as it refers to obtaining of permits and completion of the work be amended, so that as amended, the last clause of the resolution will read:

"That all permits shall be obtained within six months and all work involved completed within one year from the date of this amended resolution."

606-31-BZ.

APPLICANT—Michaelson & Bernknopf, for Hudson Realty Co., Inc., owner.

SUBJECT—Application for reopening—extension of time to obtain permits and complete work—re (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Main street and Nassau boulevard (Block No. 2105, Lot No. 25), Flushing, Queens.

APPEARANCES—

For Applicant: Marion Lange.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott 5
Negative 0
Absent 0

THE RESOLUTION—

(606-31-BZ)

WHEREAS, this application affecting premises, southwest corner of Main street and Nassau boulevard (Block No. 2105, Lot No. 25), Flushing, Queens, was granted by the board at its meeting, April 8, 1932, on certain conditions, and time has been extended and applicant now requests a further extension of time.

Resolved, that the resolution adopted by the board, on April 8, 1932, only so far as it refers to the obtaining of permits and the completion of the work be amended, so that as amended, the last clause of the resolution will read:

"That all permits required shall be obtained within six months and all work completed within one year from the date of this amended resolution."

Adjourned, 12.20 p. m.

EDWARD V. BARTON, *Chief Clerk*.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 16, 1934.

Present: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott.

BUILDING ZONE CASES.

147-33-BZ.

APPLICANT—Celler and Kraushaar, for Arseekay Syndicate, Inc., owner.

SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North side of Queens boulevard, 333.03 ft. east of 56th avenue (Block No. 1845, Lot No. 41), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Albert E. Klapper.

For Opposition: Edmund Rowan, Fred Pored, Robert Blumenthal, Leo Gruni.

ACTION OF BOARD—Laid over to January 30, 1934, at 2 p. m., for report of committee on inspection.

297-33-BZ.

APPLICANT—William Shary, for Teresa C. McGroddy, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—East side of Sedgwick avenue, 150.19 ft. north of Undercliff avenue (Block No. 2538, part of Lot No. 3), The Bronx.

APPEARANCES—

For Applicant: William Shary, Charles McGroddy.

For Opposition: Mark Alexander, Emanuel E. Sternfield, Ellen R. Donohue.

ACTION OF THE BOARD—Laid over to January 30, 1934, at 2 p. m., for report of committee on inspection.

MINUTES

304-33-BZ.

APPLICANT—Michael Leone, for Vincenzo Mascoli, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing building (dwelling) to business use (stores).

PREMISES AFFECTED—838 Washington avenue (Block No. 1176, Lot No. 97), Brooklyn.

APPEARANCES—

For Applicant: Michael Leone, Walter S. Beaver.
For Opposition: None.

ACTION OF BOARD—Laid over to January 30, 1934, at 2 p. m., for report of committee on inspection.

305-33-BZ.

APPLICANT—Emil Guterman, for William Berg, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—104-106 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot Nos. 38 and 40), Brooklyn.

APPEARANCES—

For Applicant: Emil Guterman.
For Opposition: Charles P. Pinto, Charles McCann.

ACTION OF BOARD—Laid over to January 30, 1934, at 2 p. m., for report of committee on inspection.

APPEAL FROM ADMINISTRATIVE ORDER.

306-33-A.

APPELLANT—Sidney L. Strauss, for Estate of Leon Schinasi, owner.

SUBJECT—Application for reopening—amendment—re Appeal (order and a decision of the commissioner of buildings).

PREMISES AFFECTED—311 West 120th street (Block No. 1947, Lot No. 23), Manhattan.

APPEARANCES—

For Appellant: Sidney L. Strauss.
For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage..... 4
Negative 0
Absent: Chief McElligott 1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage..... 4
Negative 0
Absent: Chief McElligott 1

THE RESOLUTION—

(306-33-A)

WHEREAS, this appeal affecting premises, 311 West 120th street (Block No. 1947, Lot No. 23), Borough of Manhattan, was granted by the board October 10, 1933, on certain conditions, and appellant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on October 10, 1933, be and it hereby is amended, so that as amended the resolution will read: *granted on condition* that the existing 4 in. standpipe risers in each stairway, with the 5 in. cross-connection in the cellar, shall be maintained in good working order as a dry standpipe system, with an approved siamese at the building line; that the

present pump and standpipe tank shall be dismantled and removed and the tank line now leading to the standpipe tank shall be capped above the roof on the upper side of the tank check valve; that outlets shall be provided on each floor in each riser and proper valves and hose equipment installed as required under Rule 91 of the Standpipe Fire-Line Rules; that platform of fire escape on the rear of the building shall include at each story at least two windows and also the door leading to the rear stairway; that the doors to rear stairway shall be fireproof, self-closing, opening in the direction of exit; that in lieu of a fire proof passage from the rear stairway to street on first story a free passageway shall be provided at all times across all floors from the rear stairhall to the front stairway; that the building shall be not increased in height or area; that the use to which the building is put shall not vary from that granted under Cal. No. 6-26-BZ; and that the requirements of the resolution adopted by the Board, in connection with Cal. No. 6-26-BZ shall be complied with in all respects, other than as herein amended.

APPLIANCE SUBMITTED FOR APPROVAL.

355-33-SA.

PETITIONER—John W. Lange, owner.

SUBJECT—Lange Economical Oil Burner—approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of chief of bureau of combustibles, fire department, and engineer of the board.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage..... 4
Negative 0
Absent: Chief McElligott 1

THE RESOLUTION—

(355-33-SA)

WHEREAS, John W. Lange, owner, filed, November 21, 1933, a petition with the board of standards and appeals for approval of his device known as the Lange Economical Oil Burner;
and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of the fire department, approved by the assistant chief of department in charge of bureau of combustibles, reads:

In accordance with the communication of December 28, 1933, from Mr. Harris H. Murdock, Chairman of the Board of Standards and Appeals, relative to the above, we submit the following report:

On January 4, 1934, accompanied by Mr. Hallam, Assistant Engineer of the Board of Standards and Appeals, we inspected and tested the above mentioned oil burner on the premises 2065 Hering avenue, The Bronx, and interviewed Mr. John W. Lange and Mr. George H. Steiner, representing the Lange Economy Oil Burner.

The burner and parts thereof are constructed as indicated in the report attached to communication from the Board of Standards and Appeals. It is of the mechanical atomizing gun type consisting of the following parts:

A Viking Pump, Model C-74; Lange blower of the Sirocco type; a Century 1/6 H.P. electric motor; Jefferson transformer, output 10,000 volts; a Monarch pressure regulating and shut off valve, Model G-30-B; Monarch nozzle 3 gallon per hour capacity and Monarch strainer. In the assembly of the burner, the blower and pump are mounted on a single shaft.

MINUTES

Controls—On the particular burner installed at these premises, the following controls were used: Penn electric stack switch, type JSI; a Penn Hot water control, type J.

Ignition—electric.

Controls of the burner were tested in the following manner: Oil supply was shut off and the burner was started with a cold combustion chamber. Stack switch cut out the motor in 91 seconds on the first test and 81 seconds on the second test. During the period of test there were no puff backs or flares, and the flame showed an absence of smoke and soot. Examination of the combustion chamber and circulating system of the boiler disclosed no undue deposits of carbon.

As a result of the satisfactory operation of this burner, the undersigned therefor recommend approval for domestic and commercial use when installed in

accordance with the Fuel Oil Rules, adopted by the Board of Standards and Appeals.

(Signed) JOHN F. DIXON,
Acting Chief Inspector.
CHARLES E. JOHNSON,
Assistant Inspector of Combustibles.

Endorsed by Thomas M. Hallam, assistant engineer of the board of standards and appeals.

Resolved, that the board of standards and appeals does hereby approve the device known as the Lange Economical Oil Burner for use in domestic and commercial installation when installed in accordance with above report and the fuel oil rules of the board of Standards and Appeals.

Adjourned 4.20 p. m.

EDWARD V. BARTON, *Chief Clerk*.

MINUTES

*CORRECTION.

The minutes of the meeting of the board of standards and appeals, held December 22, 1933, as they appeared in Bulletin No. 1, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(350-33-A)

WHEREAS, Ansonia Fire Prevention Co., Inc., for Charles G. Edwards Co., agents for Peter B. Behr, receiver, filed, November 14, 1933, an appeal from an order and a decision of the commissioner of buildings, affecting premises 588-590 Broadway (Block No. 511, Lot No. 10), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated August 3, 1933 (Order No. 5663-F), reads:

You are hereby ordered and required, within 20 days from the date of the service of this order, to:

1. Provide a tank on the roof of at least 3,500 gallon capacity for the standpipe system. Said tank to be so elevated so that the bottom will be not less than 20 feet above the hose outlet in the highest story. Sec. 580-81, Ch. 5, code of ordinances and rules of the board of standards and appeals.

and
WHEREAS, the decision of the commissioner of buildings, rendered October 25, 1933, reads:

"In reference to your request to rescind our Order No. 5663-F, requiring a tank of at least 3,500 gallons for the standpipe system, you are advised that in as

**Correction—Wording of order of commissioner of buildings changed to agree with correct order.*

much as the tank is necessary to comply with the Rules of the Board of Standards and Appeals, your request is denied."

and

WHEREAS, the building is fireproof, twelve stories in height, 51 ft. by 199 ft. 7 in. in area; OCCUPIED for the manufacture of miscellaneous clothing; a tenant factory; not more than 150 persons per story; and

WHEREAS, the appellant claims the existing standpipe system was installed when the building was erected in 1897, fed from two house supply tanks, one of 1,435 gallons, the other of 2,000 gallons capacity, the bottom of the latter is 10 ft. 9 in. above the highest hose outlet and 13 ft. above a second hose outlet in the top story; it is proposed to rearrange the pipe connections with the tanks so as to reserve the 2,000-gallon tank solely for the standpipe system; furthermore, the appellant contends that the building is equipped with a sprinkler system, fed from an 8,000-gallon gravity tank and a 6,000-gallon pressure tank, with central office waterflow alarm.

Resolved, that the order and decision of the commissioner of buildings be and they hereby are *modified* and that the order be and it hereby is *granted*, as to Order No. 5663-F, Item 1, permitting the standpipe tank to remain at its present level, *on condition* that the bottom of the tank shall not be less than 10 ft. 9 in. above the highest outlet in the top story; that there shall be a reserve at all times of not less than 2,000 gallons of water solely for standpipe purposes; that the hose nozzles in the top story shall be changed to ½ inch diameter; that the existing sprinkler system shall be maintained in good workable condition in accordance with the sprinkler rules of the board of standards and appeals as they apply to existing installations.

*CORRECTION.

The minutes of the meeting of the board of standards and appeals, held January 3, 1934, as they appeared in Bulletin No. 2, Vol. XIX, are hereby corrected to read as follows:

399-30-BZ.

APPLICANT—William Richter, for Sadie Hartwig, owner.

SUBJECT—Application for reopening—amendment re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

**Correction—Name Connell changed to Murdock after word Chairman in lines 17 and 23 of digest.*

PREMISES AFFECTED—2808-2818 86th street and 2279-2285 West 8th street, southeast corner (Block No. 7143, Lot No. 88), Brooklyn.

APPEARANCES—

For Applicant: William Richter.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Connell and Holland and Chief McElligott 4
Negative 0
Absent 0

MINUTES

*CORRECTION.

The minutes of the meeting of the board of standards and appeals, held December 22, 1933, as they appeared in Bulletin No. 1, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(351-33-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Charles G. Edwards Co., agents for Peter B. Behr, receiver, filed, November 14, 1933, an appeal from an order and a decision of the commissioner of buildings, affecting premises 584-586 Broadway (Block No. 511, Lot No. 8), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated August 3, 1933 (Order No. 5661-F), reads:

YOU ARE HEREBY ORDERED AND REQUIRED, within 20 days from the date of the service of this order, to:

1. Provide a tank on the roof of at least 3,500 gallon capacity for the standpipe system. Said tank to be so elevated so that the bottom will be not less than 20 feet above the hose outlet in the highest story. Sec. 580-1, Ch. 5, code of ordinances and rules of the board of standards and appeals.

and
WHEREAS, the decision of the commissioner of buildings, rendered October 25, 1933, reads:

"In reference to your request to rescind our Order No. 5661-F, requiring a tank of at least 3,500 gallons for the standpipe system, you are advised that in as much as the tank is necessary to comply with the Rules

*Correction—Wording of order of commissioner of buildings changed to agree with correct order.

of the Board of Standards and Appeals, your request is denied.";

and

WHEREAS, the building is fireproof, twelve stories in height, 51 ft. by 199 ft. 4¾ in. in area; OCCUPIED for the manufacture of miscellaneous clothing; a tenant factory; not more than one hundred persons per story; and

WHEREAS, the appellant claims the existing standpipe system was installed when the building was erected in 1897, fed from two house supply tanks, one of 1,435 gallons, the other of 2,600 gallons capacity, the bottom of the latter is 11 ft. 9 in. above the highest hose outlet in the top story; it is proposed to rearrange the pipe connections with the tanks so as to reserve the 2,600-gallon tank solely for the standpipe system; furthermore, the appellant contends that the building is equipped with a sprinkler system, fed from an 800-gallon gravity tank and a 6,000-gallon pressure tank with central office waterflow alarm.

Resolved, that the order and decision of the commissioner of buildings be and they hereby are *modified* and that the appeal be and it hereby is *granted*, as to Order No. 5661-F, only so far as it affects the building under appeal, namely, Nos. 584-586 Broadway, permitting the standpipe tank to remain at its present location and height, *on condition* that the bottom of the tank shall be not less than 11 ft. 9 in. above the highest outlet in the top story; that the hose nozzles in the top story shall be changed to ½ inch diameter; that there shall be a reserve at all times of not less than 2,600 gallons of water in the standpipe tank solely for standpipe purposes; that the existing cross-connection in the basement between the standpipe system in this building and the standpipe system in the adjoining building at Nos. 580-582 Broadway shall be discontinued and the connecting pipe completely removed back to the main, which shall be properly plugged or capped, and that the existing sprinkler system shall be maintained in accordance with the requirements of the rules of the board of standards and appeals in so far as they refer to existing installations.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Kraissl Fuel Oil Pump.....	60-28-SA
American Marsh Simplex.....	639-25-SA	Leiman Rotary	95-24-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	M. D. Rotary.....	52-27-SA
Beach Russ Co. Rotary.....	1134-22-SA	Milwaukee Piston Rotating Port Pump....	763-25-SA
Blackmer Rotary	935-24-SA	Monroe Oil Pump.....	658-26-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Northern Rotary	1396-24-SA
Century Rotary	908-21-SA	Pascoe Pump Set.....	1029-26-SA
Cook Electric Oil Pump.....	603-25-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Davidson	590-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Dean Bros. Durable Duplex.....	840-22-SA	Quimby Screw Pump.....	1193-21-SA
DeLaval IMO Oil Pump.....	628-32-SA	Ray Rotary	588-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Rotary Vacuum Pump.....	513-25-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Fluid Heat Oil Burner.....	361-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Franklin Domestic Oil Burner.....	560-26-SA
Air-Blast Oil Burner.....	579-32-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Alladin Oil Burner.....	298-26-SA	Fuelo Oil Burner.....	47-30-SA
Alexander Oil Burner.....	65-28-SA		
Arcoil Heat Machine.....	632-26-SA	Gar Wood Oil Burner.....	373-30-SA
Auto-Heat Oil Burner.....	284-33-SA	Gar Wood Oil Burner, Model K and Model K-3500	481-32-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	General Electric Fuel Oil Burner.....	434-32-SA
		General Electric Oil Burner, Type DA-2....	228-33-SA
Baker Automatic House Heating Burner....	1323-22-SA	Ghapco Steam Generator.....	348-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Gill Oil Burner.....	1231-23-SA
Berggren Oil Burner.....	764-26-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bettendorf Oil Burner.....	731-28-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Gulf Oil Burner.....	382-26-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA		
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hardinge Oil Burner.....	813-25-SA
Branford Oil Burner.....	36-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Branford Oil Burner, Model "A".....	461-32-SA	Harris Fuel Oil Burner.....	690-30-SA
		Hart Automatic Oil Burner.....	1162-24-SA
Calorcoil Burner, Type AA.....	1361-24-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Carboradiant Oil Burner, Models V & VS....	16-31-SA	Hayward Oil Burner	696-30-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Heatiator Oil Burner.....	1346-23-SA
Carborundum Burner	571-29-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Heil Combustion Fuel Oil Burner, Type B... ..	295-29-SA
Carter-Korth Oil Burner	54-30-SA	Hercules Oil Burner.....	510-29-SA
Century Oil Burner.....	157-28-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Homer Domestic Oil Burner.....	1211-25-SA
Cook's Automatic Oil Burner.....	955-27-SA		
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Crescent Oil Burner	222-29-SA	International Mechanical Draft Oil Burner...	372-30-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	International Oil Burner.....	1305-24-SA
Crown Oil Burner, Type XA.....	426-29-SA		
Crystal Blue Flame Oil Burner.....	423-29-SA	Jacobsen Balanced Oil Burner, (Model V-1) .	333-33-SA
		Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Joyce Oil Burner.....	852-26-SA
D'Elia Oil Burner.....	155-31-SA		
Delco Heat Oil Burner.....	420-31-SA	K. F. C. Oil Burner.....	846-25-SA
DeWalt Oil Burner.....	541-31-SA	Kelco Oil Burner.....	237-33-SA
Dist-o-matic Oil Burner.....	663-28-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Doe Oil Burner.....	317-31-SA	Kleen Heet Oil Burner.....	62-24-SA
Doherty Oil Burner.....	943-26-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
		Kreager Oil Burner.....	367-30-SA
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA	Kres-Kno Oil Burner.....	443-28-SA
Economy Oil Burner, Type A-1.....	45-31-SA		
Eisler Automatic Oil Burner.....	481-27-SA	Laco Oil Burner, Model NL.....	670-30-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Laco Oil Burner, Models F, JF, BF and D... ..	226-33-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Lange Economical Oil Burner.....	355-33-SA
Ember-Glo Oil Burner.....	462-32-SA	Lawrence May Oil Burner.....	1034-27-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Leader Oil Burner.....	425-31-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Liberty Automatic Heater.....	129-28-SA
Espo Oil Gas Burner.....	1431-23-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Evenheat Oil Burner.....	554-32-SA		
Everedy Oil Burner.....	102-33-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
		M. W. Oil Burning Water Heater.....	737-29-SA
Fairfield Oil Burner.....	584-31-SA		
Faultless Oil Burner.....	493-24-SA		
Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Magna Fuel Oil Burner.....	197-33-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Majestic Oil Burner.....	693-30-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Marr Oil Heat Machine.....	765-26-SA	Schulze Home Oil Burner.....	1487-23-SA
Master Fuel Oil Burner.....	350-32-SA	Scott-Newcombe Pioneer Oil Burner, Models C and CA.....	436-32-SA
Master-Kraft Oil Burner.....	83-33-SA	Security Oil Burner.....	56-28-SA
May Oil Burner.....	68-24-SA	Shepard Oil Burner.....	563-30-SA
Mayfield Oil Burner.....	568-31-SA	Shill Oil Burner.....	315-30-SA
Mayflower Oil Burner.....	124-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
McIlvane Oil Burner.....	544-29-SA	Silent Automatic Oil Burner.....	458-26-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Mercø Oil Burner.....	637-29-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morrissey Oil Burner.....	673-27-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Conical Type Steam Atomizing Burner.....	938-25-SA	Silent Glow Oil Burner, Model 1000.....	345-31-SA
Morse Fan Tail Type Steam Atomizing Burner.....	939-25-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Socony Arrow Oil Burner.....	1191-24-SA
Mousette Oil Burner.....	887-25-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Airoil Low Pressure Burner.....	186-29-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
National Airoil Type D-R Rotary Oil Burner.....	548-31-SA	Stuhler Oil Burner.....	618-27-SA
National Rotary Oil Burner.....	836-25-SA	Summerheat Oil Burner.....	581-26-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
New Process Oil Burner.....	1071-27-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sun Heat Oil Burner.....	603-29-SA
Nokol Automatic Burner.....	1078-24-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Nu-Way Oil Burner.....	773-26-SA	Sunway Oil Burner.....	624-30-SA
Oilbuilt Burner	85-33-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Superfex Oil Burning Heater.....	491-31-SA
Oronoque Oil Burner.....	394-30-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Orr Fuel Oil Burner.....	113-26-SA	Superheat Oil Burner, Model D.....	254-33-SA
Paramount Oil Burner.....	1193-25-SA	Sword Automatic Oil Burner.....	951-25-SA
Paramount Oil Burner, Model A.....	617-30-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Pascoe Oil Burner.....	1029-26-SA	Thoroburn Oil Burner, Model A-1-16-G.....	269-33-SA
Petro Domestic Burner.....	161-26-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Model T Oil Burner.....	451-31-SA	Timken Rotary Oil Burner.....	297-29-SA
Petro Model W Oil Burner.....	452-31-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Petro Burner, Model O.....	78-28-SA	Todd Spiro Oil Burner.....	470-31-SA
Petro Burner, Model P-2.....	735-30-SA	Todd Spiro Burner (pump type).....	94-32-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Toridheet Oil Burner.....	63-28-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Powerlight Oilheat Burner.....	628-23-SA	United States Oil Burner.....	620-28-SA
Preferred Oil Burner.....	372-33-SA	Universal Fuel Oil Burner.....	6-24-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	Vaporoil Burner	44-32-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Vesta Oil Burner.....	451-26-SA
Quaker Burnoil Stove.....	11-31-SA	Victor Oil Burner.....	612-30-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victory Oil Burner.....	320-30-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Viking Oil Burner.....	396-32-SA
Rayfield Oil Burner.....	504-26-SA	Volcano Automatic Oil Burner.....	556-29-SA
Re-Ly-On Oil Burner.....	745-26-SA	Wayne Oil Burner.....	1155-25-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Remington Oil Burner.....	891-26-SA	Williams Oil-o-matic Fuel Oil Burner, Williams Oil-o-matic, Jr., Models "K", "KA", "KB" and Model "JJ".....	918-22-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Rickard Oil Burner.....	1011-27-SA	Wizard Automatic Oil Burner.....	181-33-SA
Rightway Oil Burner.....	339-31-SA	York Automatic Oil Burner.....	44-29-SA
Rotoflame Oil Burner.....	187-33-SA		
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA		
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA		
S & K Wide Range Fuel Oil Burner.....	10-33-SA		

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Auto-Heat Oil Burner.....	284-33-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Automatic Oil Burner.....	1363-23-SA	National Airoil High Pressure Burner.....	185-29-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	National Airoil Low Pressure Burner.....	186-29-SA
Ballard Jr. Oil Burner.....	1176-27-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Best Calorex Burner.....	1464-21-SA	North American Low Pressure Oil Burner...	792-26-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Oilbilt Burner.....	85-33-SA
Burnwell Mechanical Burner.....	957-22-SA	Oronoke Oil Burner.....	394-30-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Model W Oil Burner.....	452-31-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
D'Elia Oil Burner.....	155-31-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
DeWalt Oil Burner.....	541-31-SA	Preferred Oil Burner.....	372-33-SA
Doe Oil Burner.....	317-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Enco Mechanical Oil Burner.....	509-30-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Frankfort Type P Oil Burner.....	1046-23-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Gem Fuel Oil Burner.....	111-26-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Ghapco Steam Generator.....	348-31-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Steam Oil Burner.....	183-22-SA
Grant Oil Burner, Model "C".....	232-32-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sun Heat Oil Burner.....	603-29-SA
Hammond Oil Burner.....	72-31-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Harris Fuel Oil Burner.....	690-30-SA	Sunway Oil Burner.....	624-30-SA
Hart Oil Burner, Model "H".....	221-33-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hayward Oil Burner.....	696-30-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hobeco Oil Burner.....	1278-21-SA	Timken Rotary Oil Burner.....	297-29-SA
Holby Oil Burner.....	328-27-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Todd Spiro Oil Burner.....	470-31-SA
Kreager Oil Burner.....	367-30-SA	Todd Spiro Burner (pump type).....	94-32-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Todd Steam Atomizing Fuel Oil Burner....	123-23-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Vaporoil Burner	44-32-SA
Liberty Automatic Heater.....	129-28-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Lientz Oil Burner.....	155-20-SA	Wizard Automatic Oil Burner.....	181-33-SA
Lonergan Automatic Oil Burner.....	208-33-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		
Maxon Oil Burner (New Style).....	1036-22-SA		
May Oil Burner.....	68-24-SA		

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

81-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

37-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

99-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue, Brooklyn.

28-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

14-27-SA—Elkhart Flush Type Siamese, approval of.

13-28-SA—Ford Automatic Pressure Regulating Valve, approval of.

42-29-SA—Safe-Way Outlet Pressure Reducing Valve, approval of.

10-29-SA—A Diamond "S" 250 lbs. 2½-inch Angle Globe Water Hose Valve, approval of.

80-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A", approval of.

59-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line, approval of.

32-31-SA—Ray-Dio Sunshine Oil Burner, approval of.

50-31-SA—Lunkenheimer 2½-inch, Figure No. 8610, Bronze Angle Hose Valve, 150 Pounds Water Working Pressure, approval of.

51-31-SA—Lunkenheimer 2½-inch, Figure No. 8613, Bronze Angle Hose Valve, 250 Pounds Water Working Pressure, approval of.

79-31-SA—The Lenahan Gas & Steam Coil for Garage Use, approval of.

34-31-SA—Page Fuel Burner, approval of.

25-32-SA—Beacon Oil Burner, approval of.

09-32-SA—Croker 4-inch Siamese, approval of.

37-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida, approval of.

86-32-SA—Hubbard Silent Electric Oil Burner, approval of.

75-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner, approval of.

01-32-SA—Diard Oil Burner, approval of.

28-32-SA—Weldon Extinguisher, approval of.

61-32-SA—Wills Fuel Oil Burner, approval of.

92-32-SA—The Ameroil Range Burners, approval of.

15-32-SA—Metro Oil Burner, approval of.

23-33-SA—Sunrex Range Oil Burner, approval of.

39-33-SA—Cutler-Hammer, Inc., Enclosed High and Low Water Float Switch for Standpipe Alarm Systems (Bulletin No. 10041), approval of.

62-33-SA—Florence Oil Heater, Model KC-8, approval of.

82-33-SA—Inferno Oil Burner, approval of.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns, approval of.

100-33-SA—Blaw-Knox (Madsen) Fuel Oil Pump, approval of.

101-33-SA—Blaw-Knox (Madsen) Fuel Oil Burner, approval of.

126-33-SA—Tower Range Oil Burner, approval of.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve, approval of.

164-33-SA—Firemaster Fire Extinguisher, approval of.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner), approval of.

193-33-SA—Nemes-Gluck Oil Burner, approval of.

195-33-SA—Bullet Automatic Oil Burners, Models A and B, approval of.

204-33-SA—Mohawk Oil Burner, approval of.

218-33-SA—Presto Gas Pressing Machine Burner No. 10, approval of.

222-33-SA—Dowie Combination Anti-Syphon Valve, approval of.

231-33-SA—Signal Engineering & Manufacturing Co. Interior Fire Alarm Box, approval of.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe, approval of.

244-33-SA—Petro Oil Burner, Model W-2, approval of.

245-33-SA—Petro Oil Burner, Models W-1 and W-1½, approval of.

271-33-SA—Perfect-Pantex Oil Burner, approval of.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters, approval of.

341-33-SA—Volcano Automatic Oil Burner, Models EW-1, EW-2 and EW-3, approval of.

349-33-SA—Herco Oil Burner, approval of.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1, approval of.

360-33-SA—Trane Climate Changer Oil Burner, approval of.

369-33-SA—S-K, Model F, Oil Burner, approval of.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Trinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady.....	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	1
Cases filed up to January 17, 1934.....	5	Dismissed	1
Restored to Calendar.....	5	Denied	4
		Granted	0
		Granted on condition.....	7
		Appliances approved	3
		Appliances dismissed, disapproved or withdrawn....	1
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
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Requests to reopen.....	12	Requests to reopen granted.....	11
Requests to amend.....	5	Requests to reopen denied.....	1
Requests for modification.....	0	Requests to amend granted.....	5
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	2	Requests for modification granted.....	0
Requests for extension of permit.....	0	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	1	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	2
Requests for interpretation.....	0	Requests for extension of time denied.....	0
		Requests for extension of permit granted.....	0
		Requests for extension of permit denied.....	0
		Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	1
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	0
		Requests withdrawn or dismissed.....	0
Total	242	Total.....	37
Disposed of	37		
Cases pending January 17, 1934.....	205		

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Court Decisions.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, January 23, 1934, 10 A. M.

Minutes of Regular Meeting, January 23, 1934, 2 P. M.

Correction.

Approved Burners for Industrial Use.

Reserve Calendar.

Approved Fireline Hose Valves.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, January 29, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, February 5, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to January 24, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
16-34-SA.....	F.D.....	Warner Oil Burner, Model A, Appliance.
15-34-BZ.....	D.B.Q....	218-11 to 218-19 Foch blvd. (Block 2152, Lot 1), St. Albans, Q. N. B. 1-1934
14-34-BZ.....	D.B.Q....	101-15 Astoria ave. (Block 1659, Lot 39 & Part of 41), Astoria, Q. N. B. 2510-1933
13-34-A.....	F.D.....	985 8th ave. (Block 1048, Lot 33), Manhattan. L. C. 70415
12-34-BZ.....	D.B.Q....	N. W. Cor. 87th ave. & Queens blvd. (Block 675, Lots 27-29), Jamaica, Q. Alt. 5596-1933
11-34-BZ.....	D.B.B....	273 Chester st. (Block 3560, Lot 12), Brooklyn. Applic. 9535-1933
10-34-SA.....	F.D.....	Hupp Oil Burner, Appliance.
9-34-BZ.....	D.B.Bx...	4756 3d ave. (Block 3033, Lot 53), Bronx. Alt. 599-1933
8-34-BZ.....	D.B.Q....	N. E. Cor. Jamaica ave. & 187th place (Block 975, Part of Lot 1), Jamaica, Q. N. B. 39-1933
7-34-BZ.....	D.B.Q....	S. E. Cor. Rocky Hill rd. & 221st place (Block 1726, Lot 16), Inglewood, Q. N. B. 55-1934
6-34-BZ.....	D.B.B....	507-511 Foster ave. (Block 5427, Lot 53), Brooklyn. Applic. 15452-1933

Restored to Calendar.

451-32-BZ.....	D.B.B....	9111-9123 Church ave. (Block 4688, Lots 1 and 3), Brooklyn. Applic. 8205-1932
418-31-BZ.....	D.B.B....	1036-1060 Gravesend ave. (Block 5452, Lot 37), Brooklyn. Applic. 7944-1931

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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Concrete Rules (Hydrated Lime).....	Jan. 9, 1934—Vol. 19 No. 2
Elevator Rules.....	Dec. 12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept. 26, 1933—Vol. 18 No. 39
Fire Drill Rules.....	May 30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.	Nov. 28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of.....	July 11, 1933—Vol. 18 No. 28
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4 No. 3
Fuel Oil Rules.....	Jan. 2, 1934—Vol. 19 No. 1
Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10 No. 14
Hatchway Protection.....	June 5, 1928—Vol. 13 No. 23
Paint, Varnish and Lacquer Spraying Rules.....	June 13, 1933—Vol. 18 No. 24
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Fuel Oil Burners for Industrial Use.....	Jan. 30, 1934—Vol. 19 No. 5
Fuel Oil Pumps.....	Jan. 23, 1934—Vol. 19 No. 4

COURT DECISIONS

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available.

In re Dempsey (Murdock)—Mr. Justice Cotillo—Board reversed June 13, 1933, Board denied application for gas station in business district, under section 21, Cal. No. 105-33-BZ; premises 2101-2105 Williamsbridge road, Northwest corner of Lydig avenue, The Bronx. * * *

Jane David Holding Corp. vs. Murdock, et al.—Mr. Justice Steinbrinck—Board sustained. "Constitutionality of section 21 is unquestioned." February 21, 1933, Board dismissed for lack of jurisdiction application for gas station in business district on same block with school, under section 21. Cal. No. 68-32-BZ; premises 1641-1649 Eastern parkway, Northeast corner Hopkinson avenue, Brooklyn. Appellate Division, Second Department, unanimously confirmed determination of Board.

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 29, 1934, AT 2 P. M.

Building Zone Cases.

308-33-BZ.	
APPLICANT—	Jacob E. Hurwitz, for Alice Fadool owner.
PREMISES—	195 Prospect Park West, northwest corner of 15th street (Block No. 1103, Lot No. 48) Brooklyn.
APPLICATION,	under section 21 of the building zone resolution,
TO PERMIT	in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use.
374-33-BZ.	
APPLICANT—	John H. Scheier, for Manufacturers Trust Co., owner.
PREMISES—	2400-2412 Flatbush avenue, N. W. Cor. of Avenue T (Block No. 8528, Lot Nos. 1 & 72) Brooklyn.
APPLICATION,	under section 21 of the building zone resolution,
TO PERMIT	in a business district the erection and maintenance of a gasoline service station.

CALENDAR

339-33-BZ.

APPLICANT—Martin J. Ort, for Otnas Realty Inc., owner.

PREMISES—14-57 29th avenue, N. W. Cor. 21st street (Block No. 538, Lot Nos. 46 & 48), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

335-33-BZ.

APPLICANTS—Wood & Marshall, for Marshall Contracting Co., Inc., owner.

PREMISES—5563-5573 Kings Highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 & 9), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

of Edward V. McKeown, applicant, on behalf of 1351 Boscobel Avenue Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

CAL. NO. 318-33-BZ—Application, October 11, 1933, under sections 7e, 7g and 21 of the building zone resolution, of Jerome F. Healy, Jr., applicant, on behalf of Benedicta Vetter, owner, to permit in a business district the conversion of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 2259-2261 Washington avenue, west side, 101 ft. north of East 182nd street (Block No. 3038, Lot No. 35), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 205-29-BZ—Application, March 27, 1929; gasoline service station granted for a temporary period of two (2) years on July 26, 1929; extension of temporary permit granted July 14, 1931; further extension granted July 14, 1933; reopened September 19, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Whitestone Service Station, Inc., present owner, to permit, partly in a residence district and partly in a business district, the permanent maintenance of a gasoline service station; premises 157-30 Willets Point boulevard (Block No. 619, Lot No. 15), Whitestone, Borough of Queens.

CAL. NO. 317-33-BZ—Application, October 11, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Dickel Construction Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 334-33-BZ—Application, October 27, 1933, under section 21 of the building zone resolution, of Charles Lobejager, applicant, on behalf of Harry Sheer, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

CAL. NO. 242-33-BZ—Application, June 30, 1933, under section 21 of the building zone resolution,

JANUARY 30, 1934, 2 P. M.

Appeal from Administrative Order.

367-33-A—842-846 Broadway, 65-87 East 13th street and 140-148 Fourth avenue (Block No. 565, Lot No. 21), Manhattan.

Petition for Variation.

272-33-S—543 Eighth avenue (Block No. 761, Lot No. 32), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 30, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 147-33-BZ—Application, April 19, 1933, under section 21 of the building zone resolution, of Celler & Kraushaar, applicants, on behalf of Arseekay Syndicate, Inc., owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises north side of Queens boulevard, 333 03 ft east of 56th avenue (Block No. 1845, Lot No. 41), Elmhurst, Borough of Queens.

CAL. NO. 297-33-BZ—Application, September 12, 1933, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Teresa C. McGroddy, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises east side of Sedgwick avenue, 150.19 ft north of Undercliff avenue (Block No. 2538, part of Lot No. 3), The Bronx.

CAL. NO. 304-33-BZ—Application, September 18, 1933, under section 21 of the building zone resolution, of Michael Leone, applicant, on behalf of Vincenzo Mascoli, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building (dwelling) to business use (stores); premises 838 Washington avenue (Block No. 1176, Lot No. 97), Brooklyn.

CALENDAR

CAL. NO. 305-33-BZ—Application, September 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of William Berg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 104-106 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot Nos. 38 and 40), Brooklyn.

CAL. NO. 321-30-BZ—Application, May 9, 1930, under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; laid over for a full vote of board December 23, 1930; application of Kennedy & Ellner, applicants, on behalf of Summerville Realty Co., Inc., present owner; restored to Calendar December 15, 1933; premises northwest corner of Union turnpike and Parsons boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, FEBRUARY 5, 1934, AT 2 P. M.

Building Zone Cases.

354-33-BZ.

APPLICANT—Joseph B. Schwartz, for Edlar Realty Corp., owner.

PREMISES—Northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

356-33-BZ

APPLICANT—Jack Fein, for Enmor Realty Corporation, owner.

PREMISES—2628-2632 Avenue V, northwest corner of Ocean avenue (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of a business building (stores).

366-33-BZ

APPLICANT—Thomas D. Conroy, for Marie Whitehurst Conroy, owner.

PREMISES—71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

APPLICATION, under section 7b of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the alteration and change of occupancy of part of an existing building from dwelling to business use.

380-33-BZ

APPLICANT—Joseph B. Schwartz, for Frank Teltsch, owner.

PREMISES—475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

FEBRUARY 6, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 6, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 276-33-BZ—Application, August 17, 1933, under section 21 of the building zone resolution, of James P. Boyland, applicant, on behalf of William Jay Building Corp., owner, to permit in a residence district the alteration and change of occupancy of part of an existing apartment house from dwelling to business use; premises northeast corner of Grand concourse and East 203rd street (Block No. 3309, Lot No. 42), The Bronx.

CAL. NO. 320-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of John A. Cosgrove, applicant, on behalf of Gottel Radish, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Borough of Richmond.

CAL. NO. 321-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of Hyman and Segall, applicants, on behalf of Pennbrook Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Oak avenue and Jamaica avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens.

CAL. NO. 331-33-BZ—Application, October 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of Litvin Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Brooklyn.

CAL. NO. 273-33-BZ—Application, August 15, 1933, under section 21 of the building zone resolution, of Goldwater & Flynn and Samuel Rosenblum, applicants, on behalf of R. V. W. Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), The Bronx.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

FEBRUARY 6, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, February 6, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters:*

AL. NO. 137-33-BZ—Application, April 12, 1933, under section 21 of the building zone resolution, of Joseph A. Marck, applicant, on behalf of Jeffem Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Reeves avenue and Kissena boulevard (Block No. 2168, Lot Nos. 1 and 9), Flushing, Borough of Queens.

AL. NO. 279-33-BZ—Application, August 24, 1933, under section 21 of the building zone resolution, of James J. Munro, applicant, on behalf of Newman Building Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, part of Lot No. 29), Jamaica South, Borough of Queens.

AL. NO. 310-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Rutherford S. Moorhead, applicant, on behalf of Henry A. Meyer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1872-1890 Gerritsen avenue, southwest corner of Brown street (Block No. 6838, Lot No. 1), Brooklyn.

AL. NO. 312-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of M. Joseph Harrison, applicant, on behalf of Joseph Halpert, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Merrick road and Linden boulevard (Block No. 3104, part of Lot No. 1), St. Albans, Borough of Queens.

AL. NO. 292-33-BZ—Application, September 8, 1933, under section 21 of the building zone resolution, of Joseph H. Goldstein, applicant on behalf of Bonomo Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2729-2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.

HARRIS H. MURDOCK. *Chairman.*

CALL OF CLERK'S CALENDAR

TUESDAY, FEBRUARY 13, 1934, AT 2 P. M.

Building Zone Cases.

-33-BZ.

APPLICANT—Anthony P. Sorice, Jr., for Vincent J. Repaci, owner.

PREMISES—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

198-33-BZ.

APPLICANT—John J. Hegarty, for Port of New York Authority, owner.

PREMISES—West side of Haven avenue, 217'4½" north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar January 3, 1934).

315-33-BZ.

APPLICANT—William J. Russell, for Russand Realty Co., owner.

PREMISES—Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to the Calendar January 16, 1934).

368-33-BZ.

APPLICANT—Archie H. Samuels, for Sonsam Corporation, owner.

PREMISES—Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

FEBRUARY 14, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, February 14, 1934, at 10 o'clock, in Room 1013, Municipal Building on the following matters:*

CAL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

CAL. NO. 330-33-BZ—Application, October 24, 1933, under section 21 of the building zone resolution, of Charles M. Lobejager, applicant, on behalf of Harry Sheer, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.

CALENDAR

CAL. NO. 332-33-BZ—Application, October 25, 1933, under section 21 of the building zone resolution of Charles A. Carey, applicant and lessee, on behalf of Whitnoyl Corp., owner, to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

HARRIS H. MURDOCK, *Chairman*.

FEBRUARY 20, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, Febru-*

ary 20, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 451-32-BZ—Application, August 16, 1932; denied January 13, 1933; reopening for reconsideration for a reduced plot and for a temporary period denied June 9, 1933; remitted to the Board by order of Court, January 5, 1934; application of William I. Alpert, on behalf of Church & 94th Street Corp., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station for a temporary period on a smaller plot; premises 9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, JANUARY 23, 1934.

Present: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney.

The minutes of the regular meeting of the Board held on Tuesday morning, January 16, 1934, and the minutes of the regular meeting of the Board held on Tuesday afternoon, January 16, 1934, were approved as printed in Bulletin No. 4, Volume XIX.

BUILDING ZONE CASES.

137-33-BZ.

APPLICANT—Joseph A. Marck, for Jeffem Realty Co., owner.

SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Reeves avenue and Kissena boulevard (Block No. 2168, Lot Nos. 1 and 9), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph A. Marck, Israel Jeffer.

For Opposition: G. F. Rivkins, Mary Gerrodette, Charles Tilgner.

ACTION OF BOARD—Laid over to February 6, 1934, at 2 p. m., for report of committee on inspection.

279-33-BZ.

APPLICANT—James J. Munro, for Newman Building Co., Inc., owner.

SUBJECT—Application (re decision of commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, Part of Lot No. 29), Jamaica South, Borough of Queens.

APPEARANCES—

For Applicant: James J. Munro.

For Opposition: None.

ACTION OF BOARD—Laid over to February 6, 1934, at 2 p. m., for report of committee on inspection.

310-33-BZ.

APPLICANT—Rutherford S. Moorhead, for Henry A. Meyer Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1872-1890 Gerritsen avenue, southwest corner of Brown street (Block No. 6838, Lot No. 1), Brooklyn.

APPEARANCES—

For Applicant: Rutherford S. Moorhead, William H. Cordes, George L. Long.

For Opposition: John J. Ott, Clara K. Remig, Herman Beniwitz, Brocton Goldstone, Ann E. Bartlett, Philip Heller, J. F. X. Masterson.

ACTION OF BOARD—Laid over to February 6, 1934, at 2 p. m., for report of committee on inspection.

312-33-BZ.

APPLICANT—M. Joseph Harrison, for Joseph Halpert, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Merrick boulevard and Linden boulevard (Block No. 3104, part of Lot No. 1), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: M. Joseph Harrison, Joseph Halpert.

For Opposition: George J. Rudnick, John Lorice, Isabelle Lepke, Arthur E. Levine.

ACTION OF BOARD—Laid over to February 6, 1934, at 2 p. m., for report of committee on inspection.

321-30-BZ.

APPLICANT—Kennedy and Ellner, for Summerville Realty Co., Inc., present owner.

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SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously laid over for full vote of the board; restored to Calendar December 15, 1933).

REMISES AFFECTED—Northwest corner of Union Turnpike and Parsons boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Samuel Thorn.
For Opposition: Joseph I. Katshe.

ACTION OF BOARD—Laid over to January 30, 1934, at 2 p. m., on request of applicant's representative.

183-33-BZ.

APPLICANT—William F. Doyle, for Henry C. Mecke, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

REMISES AFFECTED—5709-5717 Church avenue, north side, 67 ft. 6¾ in. east of East 57th street (Block No. 4683, Lot Nos. 36½ and part of Lot Nos. 42 and 44), Brooklyn.

APPEARANCES—
For Applicant: William F. Doyle.
For Opposition: Jack Kirsch, Abraham Levingson.

ACTION OF BOARD—Application withdrawn on request of applicant without argument.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

51-32-BZ.

APPLICANT—William I. Alpert substituted for Michael Levine, for Church & 94th Street Corp., owner.

SUBJECT—Application—reopening—reconsideration by order of the court—re application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station. (Denied by board January 13, 1933.)

REMISES AFFECTED—9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Brooklyn.

APPEARANCES—
For Applicant: William I. Alpert.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing February 20, 1934, at 10 a. m.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—
Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

18-31-BZ.

APPLICANT—Samuel Rosenblum, for Gerwan Realty Co., owner.

SUBJECT—Application for reopening—restoration to calendar—re (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station. (Previously withdrawn.)

PREMISES AFFECTED—1036-1060 Gravesend avenue, southwest corner of Parkville avenue (Block No. 5425, Lot No. 37), Brooklyn.

APPEARANCES—
For Applicant—Leo J. Hickey.

ACTION OF BOARD—Application reopened, to be set for calendar call.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

183-33-BZ.

APPLICANT—James P. Boyland, for Michael Beirne, owner.

SUBJECT—Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened, having been previously withdrawn).

PREMISES AFFECTED—Southeast corner of East 233d street and Harper avenue (Block No. 4946, Lot Nos. 58, 59 and 60), The Bronx.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—
(183-33-BZ)

WHEREAS, the foregoing applicant filed with the board of standards and appeals an application under the building zone resolution affecting the premises in question; and

WHEREAS, the applicant has failed to complete his papers, though duly notified to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

495-32-BZ.

APPLICANT—Michael Levine, for Navillus Realty Corp., owner.

SUBJECT—Application for restoration to calendar, previously laid over for full vote of board—re application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station (previously denied under section 7f; reopened May 31, 1933).

PREMISES AFFECTED—122-13 to 122-21 Rockaway boulevard, northwest corner of 123d street (Block No. 2512, part of Lot No. 7), South Ozone Park, Borough of Queens.

APPEARANCES—
For Applicant: Michael Levine.
For Opposition: William Wald.

ACTION OF BOARD—Application granted on condition.

THE VOTE TO GRANT—
Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—
(495-32-BZ)

WHEREAS, Michael Levine, for Navillus Realty Corp., owner, filed, September 20, 1932, under section 21; with-

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drawn February 3, 1933; reopened February 15, 1933, under section 7(f), denied May 2, 1933; reopened May 31, 1933, under section 21; an application under the building zone application to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises: 122-13 to 122-21 Rockaway boulevard, northwest corner of 123d street (Block No. 2512, part of Lot No. 7), South Ozone Park, Queens;

and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Rockaway boulevard is in a business district, 116th avenue is in a residence district and 123d street is in a residence district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered October 4, 1933, re: Plan No. 899-33, reads:

"The erection of a gasoline service station in a business district and extending into a residence district is contrary to article 2, sections 3 and 4, subdivision 46 BZR.

"(Not further considered.)"

and

WHEREAS, the premises consist of an irregular shape, plot of ground having a frontage of 113.2 ft. on Rockaway boulevard and 112.9 ft. on 123d street—a very small area at the north portion of the lot is in the residence district—the remainder is in the business district. It is proposed to erect on the site a one-story grease pit, auto laundry and office structure 28 ft. by 100 ft. and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, report of which inspection was read at this hearing; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 of the building zones resolution.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the premises to be occupied shall be levelled substantially to the grade of Rockaway boulevard and East 123d street; that the accessory buildings shall be located toward the northerly portion of the plot as indicated on plans filed with this application; that accessory buildings shall be constructed of brick and incombustible material except that roof beams, and roofing and doors may be of wood provided the roof surfacing is of incombustible material and all ceilings fire-retarded in accordance with the rules of the board of standards and appeals; that these buildings shall not exceed one story in height and shall have no cellar or excavation except for greasing pits; that there shall be erected on the balance of the lot line, where not covered by walls of accessory buildings on East 123d street, to the corner of Rockaway boulevard, a brick wall faced on both sides with face brick, to match that used on the accessory buildings, that this wall shall be not less than 8 ft. in height, starting at 4 ft. in height at the corner formed by the intersection of Rockaway boulevard and East 123d street and stepped up at the rate of 1 ft. in 4; that there shall be a similar wall constructed on the interior lot line to the west from the corner formed by the greasing pit section to the Rockaway boulevard building line and similarly graduated at the Rockaway boulevard building line; that the balance of the plot where not covered by accessory buildings shall be cement-paved; that there shall be constructed along the Rockaway boulevard building line a concrete curbing not less than 12 in. in height and 12 in. in width with not over two (2) openings therein, each opening not to exceed 25 ft. and no part of any opening to be nearer than 8 ft. from the 123d street building line

or the westerly interior lot line; that opposite these openings there shall be curb cuts (in the street curb) not exceeding 30 ft. in width; that gasoline pumps shall be no nearer than 10 ft. to street line or any portion of an accessory building; that there shall be no automobile repairing carried on in the premises; that no open flame shall be permitted; that there shall be no parking or storing of cars other than those being serviced; that all signs (advertising non-conforming uses) shall be limited to the illuminated globes of the gasoline pumps and to flat signs attached (permanently) to the face of the accessory buildings, excluding all signs on the northerly, easterly or westerly side of the accessory building or lot line walls and excluding all signs of a temporary nature; that there shall be no portable gasoline pumps used on or from the premises; that the balance of the property owned by this applicant to the north shall be graded and seeded to grass and kept mowed and in a presentable condition, free from rubbish at all times until such time as the property is improved with a building for a conforming use; that the windows in the accessory buildings opening on this plot shall be fire-proof and self-closing; that the doors, window frames and sash, other than on the lot lines, may be of wood; that the illumination shall be by means of electric lamps, placed on pipe standards not over 9 ft. in height, equipped with metal reflectors, so placed as to reflect downwardly to avoid a nuisance at night; that the architectural appearance of the accessory buildings shall be substantially in accord with plans filed with this application; that the front of greasing section shall remain open or if doors are provided, mechanical ventilation shall be furnished at all times by means of electrically-operated, vapor-proof fans; that before plans are filed with the commissioner of buildings, same shall be filed with this board and approved by the chairman in behalf of the board; and that all permits shall be obtained within six months and all work completed within one year from the date of this resolution.

595-30-BZ.

APPLICANT—Diamond Evangelista, owner; request for reopening made by Thomas J. Evers, attorney.

SUBJECT—Application for reopening—re time limit to obtain permits and complete work—re application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Brooklyn.

APPEARANCES—

For Applicant: Thomas J. Evers.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(595-30-BZ)

WHEREAS, this application affecting premises 2478-2488 Coney Island avenue, northwest corner of Avenue V (Block 7136, part of Lot Nos. 35 and 39), Brooklyn, was granted by the board November 8, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

MINUTES

Resolved, that the resolution of the board adopted on November 8, 1933, only so far as it has to do with obtaining of permits and completion of work, be amended, so that as amended the last clause of the resolution shall read: ". . . All permits shall be obtained within six (6)

months and all work shall be completed within one year from the date of this amended resolution."

Adjourned 1:10 p. m.

EDWARD V. BARTON, *Chief Clerk*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 23, 1934.

Present: Chairman Murdock, Commissioners Holland, Peppe, Savage and Assistant Chief Kidney.

BUILDING ZONE CASES.

293-33-BZ.

APPLICANT—William F. Doyle, for Abraham Halperin, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

APPEARANCES—

For Applicant: William F. Doyle.

For Opposition: Ralph J. Albrecht, William Samuels.

ACTION OF THE BOARD—Laid over to February 14, 1934, at 10 a. m., applicant to obtain new list of property owners and notify same of hearing.

292-33-BZ.

APPLICANT—Joseph H. Goldstein, for Bonomo Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2729-2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.

APPEARANCES—

For Applicant—Joseph H. Goldstein, Victor Bonomo, William Pollock.

For Opposition: Lili H. Axinn.

ACTION OF BOARD—Laid over to February 6, 1934, at 2 p. m., for report of committee on inspection.

596-32-BZ.

APPLICANT—Larry Meltzer, for Vincent Esposito, owner.

SUBJECT—Request for reopening—extension of time—re application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—619 East Fordham road, northwest corner of Hughes avenue (Block No. 3273, Lot No. 252), The Bronx.

APPEARANCES—

For Applicant: Gustave Goldman.

For Opposition: Gennaro Genua.

ACTION OF BOARD—Request to reopen—denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners Holland, Peppe, Savage and Assistant Chief Kidney 5

Absent 0

294-33-BZ.

APPLICANT—Theodore C. Krautter, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—189-21 Linden boulevard Block 1955, Lot No. 28), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Theodore C. Krautter.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage..... 4

Negative 0

Absent: Assistant Chief Kidney..... 1

THE RESOLUTION—

(294-33-BZ)

WHEREAS, Theodore C. Krautter, owner, filed, September 12, 1933, an application under the building zone application to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises: 189-21 Linden boulevard (Block No. 1955, Lot No 28), St. Albans, Queens;

and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a business district, Farmers boulevard is in a business district, 190th street is in a residence district and 116th road is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 6, 1933, re: Plan No. N. B. 4893-1930, reads:

"Replying to your application to use the one story concrete block building located at 189-21 Linden boulevard, St. Albans, for an automobile repair shop, I regret to inform you that due to the fact that this building is located in a business district, I am without power to grant your request. Appeal should be made to the board of standards and appeals."

and

WHEREAS, the existing building is of non-fireproof construction, one story in height, with a frontage of 25 ft. and a depth of 25 ft. to be occupied as a motor vehicle repair shop; and

WHEREAS, these premises were the subject of an inspection by a committee of the board report of which inspection was read at the hearing; and

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WHEREAS, the board deemed that applicant was entitled to relief under section 21, for a temporary period.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21, for a period of 5 years from the date of this action, permitting the existing building on the rear of the plot to be used for automobile repairing *on condition* that no forges or open flames shall be permitted on the premises and that no machinery shall be operated requiring motive power of more than one-half horse power per machine; that the building shall not be increased in height or area; that there shall be no windows installed on the lot line; that there shall be no excavation under the building; that the ceiling shall be fire-retarded in accordance with the rules of the board of standards and appeals; that no building shall be erected or maintained on this plot during the existence of this variance other than the existing concrete building under appeal and the existing store building on the front portion of the lot; that no automobiles shall be parked or stored on the lot other than those being serviced; that all permits shall be obtained in 3 months and all work shall be completed within six months from the date of this action.

307-33-BZ.

APPLICANT—M. Joseph Harrison, for 1758 Coney Island Avenue Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop, and also, the inclusion of a gasoline service station.

PREMISES AFFECTED—1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Brooklyn.

APPEARANCES—

For Applicant: M. Joseph Harrison.

For Opposition: Morris Kadner, Robert Aberman.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney.....	5
Negative	0
Absent	0

THE RESOLUTION—

(307-33-BZ)

WHEREAS, M. Joseph Harrison, for 1758 Coney Island Avenue Realty Co., Inc., owner, filed, September 22, 1933, an application under the building zone application to permit in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop and, also, the inclusion of a gasoline service station; premises: 1758-1766 Coney Island avenue, West Side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Coney Island avenue is in a business district, East 10th street is in a residence district and Avenue N is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 8, 1933, re Applic. No. 8386-1933, reads:

“Proposed change of occupancy to include a motor vehicle repair shop and a gasoline service station in a business use district, is contrary to Art. II, Sect. 4a, sub-sects. 29 and 46 of Zone Resolution.”

and

WHEREAS, the existing building is of non-fireproof construction, one story in height, with a frontage of 80 ft.

and a depth of 100 ft. The existing building is used as stores and auto laundry, brake testing and greasing station; it is proposed to remove the front (street) wall of the building and to rebuild it at a distance of approximately 11 ft. 9 in. back of the street line; to use this intervening space as a gasoline service station (approximately 11 ft. 9 in. by 80 ft. in area). It is proposed also, to include in the present occupancy of the building, a motor vehicle repair shop; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, report of which inspection was read at this hearing; and

WHEREAS, the board deemed that applicant was entitled to relief for part of his application under section 21 for a temporary period, and that that part, referring to gasoline station, should be denied.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 21 for a period of 5 years from the date of this action, on so far as the application has to do with the use of the existing building for motor vehicle repairing, brake testing, automobile laundry and greasing and not for use as a gasoline service station, *on condition* that no open flame or acetylene torch shall be used on the premises; that no machines shall be operated requiring a motive-power exceeding one horse power; that the ceiling shall be fire-retarded throughout in accordance with the rules of the board of standards and appeals; that all openings opening from the existing building to the existing gasoline service station adjoining on the south shall be bricked up with approved masonry; that all windows on the rear and northern lot lines shall be made fireproof, self-closing; that the heating system shall be in a room separated from the balance of the building with approved masonry, and entrance only from the exterior; that the existing building shall not be increased in height or area and that all permits shall be obtained within three months and all work completed within 6 months from the date of this resolution.

101-32-BZ.

APPLICANT—Joseph Schrafran, substituted for Charles S. Clark, for Thelma Rosen, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business and partly in an unrestricted district, the maintenance of an open air parking space for more than five (5) cars and the installation of two (2) gasoline tanks and pumps as accessory to the parking space and in individual garages, these garages having been previously granted by the board (reopened November 14, 1933).

PREMISES AFFECTED—West side of Bailey avenue, 182 ft. south of West 230th street (Block No. 326, Lot No. 70), The Bronx.

APPEARANCES—

For Applicant: Joseph Schrafran.

For Opposition: Louis J. Witkin, Richard J. M. Anany, Samuel Weisman, Fred S. Lowenthal.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney.....	
Negative	
Absent	

THE RESOLUTION—

(101-32-BZ)

WHEREAS, Joseph Schrafran, substituted for Charles S. Clark for Thelma Rosen, owner, filed, February 29, 1933, an application under the building zone application to permit partly in a business

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strict and a very small area in an unrestricted district, maintenance of an open air parking space for more than five (5) cars and the installation of two (2) gasoline tanks and pumps as an accessory to the parking space and individual garages; premises: West side of Bailey avenue, 2 ft. south of West 230th street (Block No. 3264, Lot No. 70), The Bronx;

WHEREAS, a public hearing was held on this application of the board of standards and appeals, at its regular meeting, January 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and WHEREAS, the use district maps accompanying the building zone resolution show that Bailey avenue is in a business district, Exterior street is in an unrestricted district and West 230th street is in a business district; and WHEREAS, the decision of the commissioner of buildings, rendered March 3, 1932, re N. B. No. 33-1932, reads:

"1. Erection of buildings and maintenance of premises in business district for gasoline selling station and for garages for storage of more than five motor vehicles is contrary to the provisions of the Building Zone Resolution."

WHEREAS, the premises consist of a plot of ground having a frontage of 208.8 ft. and a maximum depth of 206.16 ft. on which the board has permitted the erection of 64 individual garages on the northerly 112 ft. of the plot it is now proposed to install two 550 gal. tanks and to erect two pumps for the supply of gasoline to the tenants of the premises, the balance of property to be used for open air parking of cars; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, report of which inspection was read at the hearing; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21, for a part of his application, but that the open air parking of cars should not be permitted.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted only so far as it has to do with the installation of gasoline tanks and pumps on condition that the gasoline pumps shall be located toward the rear of the property as indicated on plans marked "Received October 30, 1933", limiting the number of pumps to two and the number of tanks to two of 550 gallons each and on further condition that the sale of gasoline shall be exclusively to the tenants of the existing garages and not to the public generally; that no signs advertising the sale of gasoline shall be installed on the premises other than the one on the globes of the pumps; that no portable gasoline tanks shall be used on or from the property; that all permits shall be obtained within three months and all work completed within six months from the date of this resolution; and *denied* as to that portion of the application for proposed open air storage of automobiles on the vacant property of the northerly section of the plot under appeal.

217-33-BZ.

APPLICANT—Benjamin N. Brody, for Hattie Schrage, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Springfield boulevard and 110th road (Junior place) (Block 2038, Lot No. 28), Jamaica, Queens.

APPEARANCES—

For Applicant: Benjamin N. Brody.

For Opposition: John F. X. Masterson.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Holland, Peppe, Savage and Assistant Chief Kidney 5
Absent 0

THE RESOLUTION—

(217-33-BZ)

WHEREAS, Benjamin N. Brody, for Hattie Schrage, owner, filed, June 12, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Southwest corner of Springfield boulevard and 110th road (Junior place) (Block No. 2038, Lot No. 28), Jamaica, and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Springfield boulevard is in a business district, 110th road is in a residence district and 111th avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 22, 1933, re Plan No. 915-33, reads:

"The erection of a gas and service station in a business district is contrary to the Zone Law (art. 11, sec. 4a, Sub. 46 BZR).

"Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 67 ft. on Springfield boulevard and 100 ft. on 110th road—upon which it is proposed to erect a one-story building, 67 ft. by 20 ft. to be used as auto laundry, grease pits and office and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection and report by a committee of the board, which report was read at this hearing; and

WHEREAS, this report recommended the denial of the application under Section 21, deeming that applicant had failed to substantiate his basis of appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

98-30-BZ.

APPLICANT—James S. Smith, for Colonial Beacon Oil Co., Inc., present owner.

SUBJECT—Referring—amendment of resolution and approval of plans in accordance with amended resolution.

PREMISES AFFECTED—1180-1188 Myrtle avenue and 664-668 Bushwick avenue, southwest corner (Block No. 3182, Lot No. 24), Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

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Negative 0
Absent 0

THE RESOLUTION—

(98-30-BZ)

WHEREAS, this application affecting premises 1180-1188 Myrtle avenue and 664-668 Bushwick avenue, southwest corner (Block No. 3182, Lot No. 24), Borough of Brooklyn, was granted by the board July 18, 1933, on certain conditions, and applicant requested an amendment of the resolution and an approval of plans.

Resolved, that the resolution adopted by the board on July 18, 1933, be and it hereby is *amended*, as follows:

Granted on condition that the proposed gasoline selling station shall be arranged substantially as shown on plans filed with this application, marked "received May 31, 1933"; that the frontage on Bushwick avenue for a distance of not less than 60 ft. and not less than 20 ft. in depth shall not be built upon and shall be maintained open and unoccupied; that the accessory buildings shall not exceed one story in height; that they shall be constructed of incombustible materials and that they shall be located substantially as shown on the plans, along the interior lot line to the south; that there shall be no windows opening on the exterior lot lines; that doors and windows opening on the property may be of wood; that the boiler room shall be entirely separated from the balance of the building with fireproof walls and self-closing fireproof door; that on interior lot lines not occupied by accessory buildings there shall be erected brick walls constructed of face or enamel brick, corresponding to the brick to be used on the exterior of the accessory buildings, this wall to be not less than 7 ft. in height; that this wall may be raked back from Bushwick avenue, starting at a height of not less than 4 ft. and graduated to the 7 ft. height at the rate of one foot in four; that any greasing racks on the premises shall be housed in a one-story accessory building; that there shall be no excavation under any of the buildings except for the greasing pits; that if doors are provided on this greasing section, exhaust ventilation shall be provided, exhausting through metal ducts above the roof, and actuated by vaporproof fans; that there shall be no open flame permitted on the property, except permitting the buildings to be heated with an approved oil burner, located in a separate enclosure, *on condition* that plans for such installation are duly approved; that gasoline pumps erected on the property shall be at least 10 ft. back from the street building lines and at least 30 ft. back from the present building line of Bushwick avenue; that there shall be no portable gasoline pumps operated on or from the property; that any signs advertising non-conforming uses shall be limited to the illuminated globes of the gasoline pumps and to permanent flat signs attached to the facades of the accessory buildings or to the brick wall and to not more than two post standards with hanging sign and flood light, these standards to be approximately 15 ft. in height and located, one at the intersection of Ditmars street and Myrtle avenue and one at the intersection of the easterly interior lot line and Bushwick avenue, excluding all temporary signs of every nature; that the entire plot not occupied by accessory buildings shall be cement paved; that there shall be constructed along the street building line of Ditmars street, Myrtle avenue and Bushwick avenue, a reinforced concrete curbing not less than 12 in. in height and 12 in. in width with not over two openings therein to Myrtle avenue and one opening to Bushwick avenue, none of these openings to exceed 20 ft.; that opposite these openings cuts in the street curb shall not exceed 25 ft.; that no part of any opening shall be nearer than 7 ft. from the lot line separating this property from the adjacent property to the east and not nearer than 7 ft. easterly from the intersection formed by Ditmars street and Myrtle avenue; that such lights as are installed for general illumination shall be erected on steel posts and the lights shall have metallic reflectors arranged to shine downwardly so as not to be objectionable to the adjoining owners at night; that plans shall be submitted to this board for approval before sub-

mission to the commissioner of buildings; that all permits shall be obtained within three months and all work completed within nine months from the date of this action.

APPLIANCES SUBMITTED FOR APPROVAL.

360-33-SA.

PETITIONER—The Trane Company, owner.

SUBJECT—Trane Climate Changer Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn on written request.

TO VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney..... 5

Negative 0

Absent 0

135-33-SA.

PETITIONER—Tower Mfg. Company, owner.

SUBJECT—Ambassador Range Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney..... 5

Negative 0

Absent 0

THE RESOLUTION—

(135-33-SA)

WHEREAS, this petition was filed with the board of standards and appeals for approval of the above appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

136-33-SA.

PETITIONER—Scientific Electric Works, owner.

SUBJECT—Scientific Range Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(136-33-SA)

WHEREAS, this petition was filed with the board of standards and appeals for approval of the above appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

341-33-SA.

PETITIONER—Volcano Burner Corp., owner.

SUBJECT—Volcano Automatic Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

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ACTION OF BOARD—Appliance approved in accordance with report of chief of bureau of combustibles, fire department and engineer of the board.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(341-33-SA)

WHEREAS, Volcano Burner Corporation, owner, filed, November 13, 1933, a petition with the board of standards and appeals for approval of its device known as the Volcano Automatic Oil Burner, Models EW-1, EW-2, EW-3; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of the fire department, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

REPORT OF BURNER TEST.

The representative of the board and two representatives of the bureau of combustibles of the fire department witnessed the tests made on the burner, Model EW-1, in operation at No. 3415 Tibbett avenue, Borough of The Bronx, January 4, 1934.

The burner is of the pressure atomizing gun-type, operated by electric power, assembled in accordance with the description in the petition before the board:

A Janette electric motor, 1/6 H.P.; a Sirocco type fan manufactured by the Volcano Oil Burning Corp.;

a strainer manufactured by the Cuno Engineering Corp.; a Tuthill pump; Webster transformer of 10,000 volts output; a Monarch regulating and cut-off valve of the piston type and Monarch nozzle of 2 gallon per hour capacity. Pump and fan are mounted on the same shaft.

Controls: Minneapolis Honeywell Pressuretrol, type L-104-2 and a Protectorelay, type R-117-3.

Ignition: Electric.

Burner constructed to use No. 2 fuel oil.

Under test, cutting off the power while the burner was in operation, the fire was immediately extinguished with a slight amount of smoke resulting; the Protectorelay cut-off the power less than 91 seconds after the burner was started with no fuel oil supply; the electrodes produced a steady white arc at the fire end of the nozzle which showed very slight carbon deposits; all controls responded and operated in a safe and satisfactory manner. No evidence of a fire hazard appeared during the tests.

The approval of the burner, Model EW-1, is recommended for domestic and commercial use when installed in accordance with the requirements of the Fuel Oil Rules.

Model EW-1 was the only model tested;

and

WHEREAS, this burner was approved by the Underwriters Laboratories, Laboratories File M. P. 615, April 8, 1931.

Resolved, that the board of standards and appeals does hereby approve the device known as the Volcano Automatic Oil Burner, Model EW-1, for use in domestic and commercial installation when installed in accordance with above report and the fuel oil rules of the board of standards and appeals.

Adjourned 4.30 p. m.

EDWARD V. BARTON, *Chief Clerk.*

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*CORRECTION.

The minutes of the meeting of the board of standards and appeals, held December 15, 1933, as they appeared in Bulletin No. 52, Vol. XVIII, are hereby corrected to read as follows:

THE RESOLUTION—

(212-33-A)

WHEREAS, Croker Fire Prevention Corp., for Murand Ice Co., owner, filed, June 8, 1933, an appeal from an order of the fire commissioner and a decision of the commissioner of buildings, affecting premises northeast corner of Beach 42d street and Rockaway Beach boulevard (Block No. 6, Lot No. 4), Rockaway Beach, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated March 8, 1933 (re Order No. 57922-LC), reads:

"You are hereby notified that an inspection of the above premises, used for storage of fuel oil, shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

"1. Discontinue the storage and use of fuel oil for operating Diesel engine until such time as plans have been filed with and approved by the Fire Commissioner and the fuel oil storage system and piping to Diesel engine is installed in accordance with such plans. Sec. 110, Chap. 10, Code of Ordinances.";

and

WHEREAS, the decision of the commissioner of buildings, rendered December 7, 1933, rendered in acting on Plan No. Alt. 8290-33, reads:

* Correction—35,000 changed to 3,500 in last line of resolution.

"1. The installation of fuel oil tanks as shown on plan does not conform with the rules of the Board of Standards and Appeals.";

and

WHEREAS, the premises consist of a corner lot, 101.60 ft. by 214.90 ft., upon which is erected a one-story frame building about 86.55 ft. by 141.13 ft. in area; OCCUPIED for the manufacture of ice, six persons; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected in 1900; the fuel oil is stored in two outside exposed steel tanks of 1,500 gallons each, located approximately 50 ft. from the building and about 14.28 ft. from the northerly lot line; the adjoining premises at north is under the same ownership; there is no other building within 50 ft. of the tanks; furthermore, the appellant contends that the installation has been in use for a number of years past and permits have been regularly issued by the fire commissioner to operate; and

WHEREAS, this appeal was withdrawn October 31, 1933, and restored to Calendar December 15, 1933.

Resolved, that the order of the fire commissioner (No. 57922-LC) and the decision of the commissioner of buildings (in connection with Alteration No. 8290-33) be and they hereby are *modified* and that the appeal be and it hereby is *granted*, permitting the existing fuel oil tanks for storage of oil for Diesel engine to remain in their present location, as indicated on plan filed with this appeal, marked "Received December 7, 1933," on condition that there shall be constructed a reinforced concrete dike wall, not less than approximately 8 ft. in height, completely surrounding the tank installation; that such dike shall have a suitable foundation carried below frost line, and that this dike enclosure shall have a total capacity of at least 3,500 gallons.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Auto-Heat Oil Burner.....	284-33-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Automatic Oil Burner.....	1363-23-SA	National Airoil High Pressure Burner.....	185-29-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	National Airoil Low Pressure Burner.....	186-29-SA
Ballard Jr. Oil Burner.....	1176-27-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Best Calorex Burner.....	1464-21-SA	North American Low Pressure Oil Burner...	792-26-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Oilbilt Burner.....	85-33-SA
Burnwell Mechanical Burner.....	957-22-SA	Oronoque Oil Burner.....	394-30-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Model W Oil Burner.....	452-31-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
D'Elia Oil Burner.....	155-31-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
DeWalt Oil Burner.....	541-31-SA	Preferred Oil Burner.....	372-33-SA
Doe Oil Burner.....	317-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Enco Mechanical Oil Burner.....	509-30-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Frankfort Type P Oil Burner.....	1046-23-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Gem Fuel Oil Burner.....	111-26-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Ghapco Steam Generator.....	348-31-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Steam Oil Burner.....	183-22-SA
Grant Oil Burner, Model "C".....	232-32-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sun Heat Oil Burner.....	603-29-SA
Hammond Oil Burner.....	72-31-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Harris Fuel Oil Burner.....	690-30-SA	Sunway Oil Burner.....	624-30-SA
Hart Oil Burner, Model "H".....	221-33-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hayward Oil Burner.....	696-30-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hobeco Oil Burner.....	1278-21-SA	Timken Rotary Oil Burner.....	297-29-SA
Holby Oil Burner.....	328-27-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Todd Spiro Oil Burner.....	470-31-SA
Kreager Oil Burner.....	367-30-SA	Todd Spiro Burner (pump type).....	94-32-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Todd Steam Atomizing Fuel Oil Burner.....	123-23-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Vaporoil Burner	44-32-SA
Liberty Automatic Heater.....	129-28-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Lientz Oil Burner.....	155-20-SA	Wizard Automatic Oil Burner.....	181-33-SA
Lonergan Automatic Oil Burner.....	208-33-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		
Maxon Oil Burner (New Style).....	1036-22-SA		
May Oil Burner.....	68-24-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

737-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue, Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313); The Bronx.

Appliances Submitted for Approval.

814-27-SA—Elkhart Flush Type Siamese, approval of.

213-28-SA—Ford Automatic Pressure Regulating Valve, approval of.

42-29-SA—Safe-Way Outlet Pressure Reducing Valve, approval of.

210-29-SA—A Diamond "S" 250 lbs. 2½-inch Angle Globe Water Hose Valve, approval of.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A", approval of.

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line, approval of.

32-31-SA—Ray-Dio Sunshine Oil Burner, approval of.

250-31-SA—Lunkenheimer 2½-inch, Figure No. 8610, Bronze Angle Hose Valve, 150 Pounds Water Working Pressure, approval of.

251-31-SA—Lunkenheimer 2½-inch, Figure No. 8613, Bronze Angle Hose Valve, 250 Pounds Water Working Pressure, approval of.

379-31-SA—The Lenahan Gas & Steam Coil for Garage Use, approval of.

534-31-SA—Page Fuel Burner, approval of.

125-32-SA—Beacon Oil Burner, approval of.

209-32-SA—Croker 4-inch Siamese, approval of.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida, approval of.

286-32-SA—Hubbard Silent Electric Oil Burner, approval of.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner, approval of.

501-32-SA—Diard Oil Burner, approval of.

528-32-SA—Weldon Extinguisher, approval of.

561-32-SA—Wills Fuel Oil Burner, approval of.

592-32-SA—The Ameroil Range Burners, approval of.

615-32-SA—Metro Oil Burner, approval of.

23-33-SA—Sunrex Range Oil Burner, approval of.

39-33-SA—Cutler-Hammer, Inc., Enclosed High and Low Water Float Switch for Standpipe Alarm Systems (Bulletin No. 10041), approval of.

62-33-SA—Florence Oil Heater, Model KC-8, approval of.

82-33-SA—Inferno Oil Burner, approval of.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns, approval of.

100-33-SA—Blaw-Knox (Madsen) Fuel Oil Pump, approval of.

101-33-SA—Blaw-Knox (Madsen) Fuel Oil Burner, approval of.

126-33-SA—Tower Range Oil Burner, approval of.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve, approval of.

164-33-SA—Firemaster Fire Extinguisher, approval of.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner), approval of.

193-33-SA—Nemes-Gluck Oil Burner, approval of.

195-33-SA—Bullet Automatic Oil Burners, Models A and B, approval of.

204-33-SA—Mohawk Oil Burner, approval of.

218-33-SA—Presto Gas Pressing Machine Burner No. 10, approval of.

222-33-SA—Dowie Combination Anti-Syphon Valve, approval of.

231-33-SA—Signal Engineering & Manufacturing Co. Interior Fire Alarm Box, approval of.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe, approval of.

244-33-SA—Petro Oil Burner, Model W-2, approval of.

245-33-SA—Petro Oil Burner, Models W-1 and W-1½, approval of.

271-33-SA—Perfect-Pantex Oil Burner, approval of.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters, approval of.

349-33-SA—Herco Oil Burner, approval of.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1, approval of.

369-33-SA—S-K, Model F, Oil Burner, approval of.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
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WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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BULLETIN OF THE BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 6

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

JAMES P. HOLLAND

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Tuesdays, at 10 a. m. and 2 p. m.

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Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, February 5, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Tuesday, February 13, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to January 31, 1934.

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25-34-BZ.....	D.B.B....	1196-1198 Ocean pkway. (Block 5495, Lot 1000), Brooklyn. Applic. 2-1934
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23-34-SA.....	F.D.....	Webster Fuel Oil Pump, Type A, Appliance.
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21-34-A.....	D.B.M....	355-361 Lexington ave. (Block 1295, Lots 21 & 23), Manhattan. Decision.
20-34-A.....	D.B.M....	322-332 Lexington ave. (Block 894, Lot 71), Manhattan. Decision.
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18-34-A.....	D.B.M....	39 West 25th st. (Block 827, Lot 14), Manhattan. F-7395.
17-34-A.....	D.B.M....	117 West 58th st. (Block 1011, Lot 25), Manhattan. F-7890.

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323-33-BZ.....	D.B.Bx..	S. E. Cor. of Morrison ave. & Sound View ave. (Block 3745, Lot 18) Bronx. N. B. 185-33
243-33-A.....	F.D.....	2271 Bathgate ave. (Block 3050, Lot 73), Bronx. L. C. 81722
116-33-BZ.....	D.B.M....	50-56 Downing st. (Block 528, Lots 13, 28, 29, 30 & 31), Manhattan. Alt. 268-33

CODE

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H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
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Elevator Rules	Dec.	12, 1933—Vol. 18 No. 50

Exit Rules (Revolving Doors)	Nov.	14, 1933—Vol. 18 No. 46
Factory Exit Rules	Nov.	14, 1933—Vol. 18 No. 46
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Hatchway Protection	June	5, 1928—Vol. 13 No. 23
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CALL OF CLERK'S CALENDAR

MONDAY, FEBRUARY 5, 1934, AT 2 P. M.

Building Zone Cases.

354-33-BZ.

APPLICANT—Joseph B. Schwartz, for Edlar Realty Corp., owner.

PREMISES—Northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

356-33-BZ

APPLICANT—Jack Fein, for Enmor Realty Corporation, owner.

PREMISES—2628-2632 Avenue V, northwest corner of Ocean avenue (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of a business building (stores).

366-33-BZ

APPLICANT—Thomas D. Conroy, for Marie Whitehurst Conroy, owner.

PREMISES—71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

APPLICATION, under section 7b of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the alteration and change of occupancy of part of an existing building from dwelling to business use.

380-33-BZ

APPLICANT—Joseph B. Schwartz, for Frank Teltsch, owner.

PREMISES—475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

CALENDAR

FEBRUARY 6, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 6, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 276-33-BZ—Application, August 17, 1933, under section 21 of the building zone resolution, of James P. Boyland, applicant, on behalf of William Jay Building Corp., owner, to permit in a residence district the alteration and change of occupancy of part of an existing apartment house from dwelling to business use; premises northeast corner of Grand concourse and East 203rd street (Block No. 3309, Lot No. 42), The Bronx.

CAL. NO. 320-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of John A. Cosgrove, applicant, on behalf of Gottel Radish, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Borough of Richmond.

CAL. NO. 321-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of Hyman and Segall, applicants, on behalf of Pennbrook Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Oak avenue and Jamaica avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens.

CAL. NO. 331-33-BZ—Application, October 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of Litvin Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Brooklyn.

CAL. NO. 273-33-BZ—Application, August 15, 1933, under section 21 of the building zone resolution, of Goldwater & Flynn and Samuel Rosenblum, applicants, on behalf of R. V. W. Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), The Bronx.

CAL. NO. 242-33-BZ—Application, June 30, 1933, under section 21 of the building zone resolution, of Edward V. McKeown, applicant, on behalf of 1351 Boscobel Avenue Corp., owner, to permit in a business district the erection and maintenance of a gas-

oline service station; premises southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 6, 1934, 2 P. M.

Petition for Variation.

272-33-S—543 Eighth avenue (Block No. 761, Lot No. 32), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, February 6, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters:*

CAL. NO. 137-33-BZ—Application, April 12, 1933, under section 21 of the building zone resolution, of Joseph A. Marck, applicant, on behalf of Jeffem Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Reeves avenue and Kissena boulevard (Block No. 2168, Lot Nos. 1 and 9), Flushing, Borough of Queens.

CAL. NO. 279-33-BZ—Application, August 24, 1933, under section 21 of the building zone resolution, of James J. Munro, applicant, on behalf of Newman Building Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, part of Lot No. 29), Jamaica South, Borough of Queens.

CAL. NO. 310-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Rutherford S. Moorhead, applicant, on behalf of Henry A. Meyer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1872-1890 Gerritsen avenue, southwest corner of Brown street (Block No. 6838, Lot No. 1), Brooklyn.

CAL. NO. 312-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of M. Joseph Harrison, applicant, on behalf of Joseph Halpert, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Merrick road and Linden boulevard (Block No. 3104, part of Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 292-33-BZ—Application, September 8, 1933, under section 21 of the building zone resolution, of Joseph H. Goldstein, applicant, on behalf of Bonomo Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2729-

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2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.

CAL. NO. 344-33-BZ—Application, November 10, 1933, under sections 7a, 7c and 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Parkville Amusement Corp., owner, to permit in a residence district the erection and maintenance of a recreation centre; premises 1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

HARRIS H. MURDOCK. *Chairman.*

CALL OF CLERK'S CALENDAR

TUESDAY, FEBRUARY 13, 1934, AT 2 P. M.

Building Zone Cases.

77-33-BZ.

APPLICANT—Anthony P. Sorice, Jr., for Vincent J. Repaci, owner.

PREMISES—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

198-33-BZ.

APPLICANT—John J. Hegarty, for Port of New York Authority, owner.

PREMISES—West side of Haven avenue, 217'4½" north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar January 3, 1934).

315-33-BZ.

APPLICANT—William J. Russell, for Russand Realty Co., owner.

PREMISES—Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to the Calendar January 16, 1934).

368-33-BZ.

APPLICANT—Archie H. Samuels, for Sonsam Corporation, owner.

PREMISES—Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

323-33-BZ.

APPLICANT—G. A. Schonewald, for Elgeo Realty Corp., owner.

PREMISES—Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to Calendar January 30, 1934).

FEBRUARY 14, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, February 14, 1934*, at 10 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

CAL. NO. 330-33-BZ—Application, October 24, 1933, under section 21 of the building zone resolution, of Charles M. Lobejager, applicant, on behalf of Harry Sheer, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.

CAL. NO. 332-33-BZ—Application, October 25, 1933, under section 21 of the building zone resolution of Charles A. Carey, applicant and lessee, on behalf of Whitnoyl Corp., owner, to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

CAL. NO. 68-33-BZ—Application, February 20, 1933, withdrawn June 13, 1933; reopened and restored to Calendar September 19, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of M. C. R. Holding Corp., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

CAL. NO. 313-33-BZ—Application, September 29, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Isaac Klapper, owner, to permit, partly in a business

CALENDAR

district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

AL. NO. 205-29-BZ—Application, March 27, 1929; gasoline service station granted for a temporary period of two (2) years on July 26, 1929; extension of temporary permit granted July 14, 1931; further extension granted July 14, 1933; reopened September 19, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Whitestone Service Station, Inc., present owner, to permit, partly in a residence district and partly in a business district, the permanent maintenance of a gasoline service station; premises 157-30 Willets Point boulevard (Block No. 619, Lot No. 15), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, Chairman.

FEBRUARY 14, 1934, 2 P. M.

Appeal from Administrative Order.

363-33-A—492-518 Kingsland avenue, East side, 237' north of Greenpoint avenue (Block No. 2517, Lot No. 14), Brooklyn.

Appliances Submitted for Approval.

1-34-SA—Hager Silent Check Valve, approval of.
10-34-SA—Hupp Oil Burner, approval of.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, February 14, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 337-33-BZ—Application, November 8, 1933, under sections 7f and 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of City Bank Farmers Trust Co., as trustee of Estate of William Waldorf Astor, to permit in a business district the maintenance of a parking space for more than five (5) motor vehicles; premises East Side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), The Bronx.

CAL. NO. 334-33-BZ—Application, October 27, 1933, under section 21 of the building zone resolution, of Charles Lobejager, applicant, on behalf of Harry Sheer, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

CAL. NO. 318-33-BZ—Application, October 11, 1933, under sections 7e, 7g and 21 of the building zone resolution, of Jerome F. Healy, Jr., applicant, on behalf of Benedicta Vetter, owner, to permit in a business district the conversion of an existing

stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 2259-2261 Washington avenue, west side, 101 ft. north of East 182nd street (Block No. 3038, Lot No. 35), The Bronx.

CAL. NO. 240-33-BZ—Application, June 29, 1933, under section 21 of the building zone resolution, of Irving Proskauer, applicant, on behalf of John J. Halleran, owner, to permit in a business district the erection and maintenance of a gasoline service station (December 5, 1933, placed on Reserve Calendar pending full vote of board; restored to Calendar January 30, 1934) premises southeast corner of Nassau boulevard and 250th street (Block No. 4080, part of Lot No. 250), Little Neck, Borough of Queens.

CAL. NO. 199-33-BZ—Application, June 1, 1933, under section 21 of the building zone resolution, of Lama & Proskauer, applicants, on behalf of William H. Parry, owner, to permit in a business district the erection and maintenance of a gasoline service station (December 5, 1933, placed on Reserve Calendar pending full vote of board; restored to Calendar January 30, 1934) premises northeast corner of 250th street and Nassau boulevard (Block No. 4084, part of Lot No. 200), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, Chairman.

CALL OF CLERK'S CALENDAR

MONDAY, FEBRUARY 19, 1934, AT 2 P. M.

Building Zone Cases.

20-28-BZ.

APPLICANT—Philip Freshman, for Markus Siegelman, owner.

PREMISES—99-105 Prospect Park Southwest, northwest corner of 16th street (Block No. 5259, Lot No. 22), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to business use (store); (previously denied; reopened November 21, 1933).

457-30-BZ.

APPLICANT—Frank Caraccia, owner.

PREMISES—Southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar September 12, 1933).

381-33-BZ.

APPLICANT—Chas. M. Lobejager, for George Robbin, owner.

PREMISES—North side of Roosevelt avenue, 466' west of 103d street (Block No. 1770, Lot Nos. 60-62-64-65), Corona, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

MINUTES

WHEREAS, Order No. 2364-F, of the fire commissioner, dated March 28, 1933, reads:

"1. Arrange the house water supply pipe so that same will connect with tank on the outside thereof above the 3,500 gallon mark only."

and

WHEREAS, the decision of the commissioner of buildings, rendered November 22, 1933, reads:

"In reply to your communication of November 20th, I beg to advise that I have written the Chairman of the Board of Standards and Appeals as per carbon copy enclosed, requesting him to progress with an appeal to be filed by you on these premises without the necessity of this office re-issuing the orders or denying your request for rescindment."

and,

WHEREAS, the building is fireproof, 12 stories in height, 46 ft. by 80 ft. in area, OCCUPIED by novelty importers, photographers and clock assembling; not more than 20 persons per story; and

WHEREAS, the appellant claims the building was erected about 1910, equipped with a standpipe system fed from a 4,000-gallon house supply tank, 2,000 gallons reserved for standpipe purposes, the bottom of which is 14 ft. above the highest hose outlet; furthermore, the appellant contends the building is entirely covered with an automatic sprinkler system, and the existing condition provides adequate means of fire protection.

Resolved, that the orders of the fire commissioner and the decision of the commissioner of buildings be and they hereby are *modified*, and the appeal be and it hereby is *granted*, permitting the standpipe gravity tank to remain in its present location *on condition* that the bottom of tank shall be not less than 13 ft. 6 in. above highest outlet; that there shall be reserved for standpipe purposes at all times a total of not less than 2,500 gallons of water; that the existing sprinkler system shall be maintained in good working order; that the hose nozzles on top floor shall be changed to 1/2-inch diameter; and that other than as modified herein, the requirements of Rule 91, of the standpipe-fire line rules, shall be complied with in all respects.

471-32-A.

APPELLANT—Ansonia Fire Prevention Eng. Co., Inc., for Trustees of Columbia University in the City of New York, owner.

SUBJECT—Application for reopening—amendment—re Appeal from an order and a decision of the fire commissioner, and a decision of the commissioner of buildings.

PREMISES AFFECTED—447 West 59th street, northeast corner of Amsterdam avenue (Block No. 1131, Lot No. 1), Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(471-32-A)

WHEREAS, this appeal affecting premises 447 West 59th street, northeast corner of Amsterdam avenue (Block No.

1131, Lot No. 1), Borough of Manhattan, granted by the board, November 29, 1932, on certain conditions, and appellant requested an amendment of the resolution; and,

WHEREAS, a decision of the commissioner of buildings, dated December 15, 1933, reads:

"In reply to your letter of December 7th, you are advised that the objections to using the 1st, 2nd and 3rd floors for offices are as follows:

"1—Area of wire glass in southwest stair enclosure and doors to stairway exceed 720 sq. in. for each pane.

"2—Doors to stairway open in instead of out and are not self-closing.

"3—Exit signs and red lights to indicate southwest stairway not provided.

"4—Cut-off fireproof doors across corridors not self-closing.

"5—Adequate toilet facilities not provided.

"6—Resolution of Boards of Standards and Appeals (Cal. 471-32-A), Bulletin No. 49, dated December 6, 1932, prohibits the building from being occupied until standpipe system is installed."

Resolved, the resolution of the board, adopted November 29, 1932, be amended, so that as amended it will read as follows:

Granted as to Order No. 88011-F, Item 1, of the fire commissioner, and Item 6 of the decision of the commissioner of buildings, *on condition* that the present standpipe riser lines with proper hose connection and hose in each story shall be maintained together with siamese connection on the Amsterdam avenue front of the premises; that this standpipe system shall be fed from street service through 4-in. connection; that there shall be a watchmen's patrol system maintained through the entire building both day and night and that a portable clock system shall be maintained; that the building shall comply with the requirements of the decision of the commissioner of buildings, dated December 15, 1933, in all respects other than as modified herein; that during the continuation of this modification the building shall remain vacant and unoccupied above the third floor, permitting the lower floors to be occupied for office work in connection with Extension Courses of Columbia University; that such auxiliary fire-fighting appliances shall be installed in the occupied floors as the commissioner may direct.

248-33-A.

APPELLANT—Brooklyn and Queens Y.M.C.A., owner.

SUBJECT—Application for reopening—amendment re Appeal (order of the fire commissioner). (Previously granted on condition.)

PREMISES AFFECTED—89-25 Parsons boulevard (Block No. 834, Lot No. 1), Jamaica, Queens.

APPEARANCES—

For Appellant—R. Frank Woodhall.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott

Negative

Absent

THE RESOLUTION—

(248-33-A)

WHEREAS, this appeal affecting premises 89-25 Parsons boulevard (Block No. 834, Lot No. 1), Jamaica, Borough of Queens, was granted by the board November 21, 1933, on

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tain conditions, and appellant requested an amendment to the resolution.

Resolved, that the resolution adopted by the board on November 21, 1933, be amended, so that as amended the resolution will read as follows:

... Granted on condition that there shall be at no more than two (2) tanks of chlorine on the premises, each tank containing no more than twenty (20) pounds of chlorine; that each tank shall be immersed in water in the room as indicated on plans marked "Received January 9, 1934"; that this room shall be located in the basement and all be completely enclosed with fireproof construction; at the door to same shall be fireproof and vapor-tight; at there shall be provided a vent not less than 6 in. above floor of room; that there shall be provided an opening directly to the outer air not less than 2 ft. by 4 ft. in area, equipped with hinged, steel, louvered door; that an open sprinkler head shall be installed in this room near the ceiling, supplied with water from the house service line, with a valve on exterior of room to control the water supply; that the equipment shall be properly regulated with Wallace & Tiernan or a similar valve approved by the commissioner; and that the system shall be at all times under the supervision of an engineer holding Certificate of fitness.

BUILDING ZONE CASES.

33-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for M. C. R. Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar).

PREMISES AFFECTED—9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr.

For Opposition: George E. Hill.

ACTION OF BOARD—Laid over to February 14, 1934, at 10 a. m., on request of applicant.

44-33-BZ.

APPLICANT—Samuel Rosenblum, for Parkville Amusement Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under Sections 7 (a), 7 (c) and 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a recreation centre.

PREMISES AFFECTED—1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: William Barron, Henry Hoefling.

ACTION OF BOARD—Laid over to February 6, 1934, 2 p. m., on request of representative of attorney for objectors.

313-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Isaac Klapper, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr.

For Opposition: E. Hayslip.

ACTION OF BOARD—Laid over to February 14, 1934, at 10 a. m., on request of attorney for objectors.

337-33-BZ.

APPLICANT—John J. Dunnigan, for City Bank Farmers Trust Co., as Trustee of Estate of William Waldorf Astor.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7 (f) and 21 of the building zone resolution, to permit in a business district the maintenance of a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—East side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), The Bronx.

APPEARANCES—

For Applicant: John J. Dunnigan, J. F. Dusenbury, William R. Altman, Carl S. George.

For Opposition: Sidney R. Diamond, Jacob Weisman, Louis J. Witkin.

ACTION OF BOARD—Laid over to February 14, 1934, at 2 p. m., for report of committee on inspection.

116-33-BZ.

APPLICANT—Arthur F. Lamanda, for Katherine Alberti, owner.

SUBJECT—Application for reopening—reconsideration under new facts—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ.

PREMISES AFFECTED—50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 12, 28, 29, 30 and 31), Manhattan.

APPEARANCES—

For Applicant: Arthur F. Lamanda, Frank J. Alberti.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing, February 20, 1934, at 10 a. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland and Savage and Assistant Chief Kidney	4
Negative	0
Not Voting: Commissioner Peppe	1
Absent	0

202-33-BZ.

APPLICANT—John J. Dunnigan, for Kapet Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Gun Hill road and Mickle avenue (Block No. 4786, Lot No. 36), The Bronx.

APPEARANCES—

For Applicant: John J. Dunnigan.

For Opposition: Jacob Granat.

ACTION OF BOARD—Application denied.

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WHEREAS, Order No. 2364-F, of the fire commissioner, dated March 28, 1933, reads:

"1. Arrange the house water supply pipe so that same will connect with tank on the outside thereof above the 3,500 gallon mark only."

and

WHEREAS, the decision of the commissioner of buildings, rendered November 22, 1933, reads:

"In reply to your communication of November 20th, I beg to advise that I have written the Chairman of the Board of Standards and Appeals as per carbon copy enclosed, requesting him to progress with an appeal to be filed by you on these premises without the necessity of this office re-issuing the orders or denying your request for rescindment."

and,

WHEREAS, the building is fireproof, 12 stories in height, 46 ft. by 80 ft. in area, OCCUPIED by novelty importers, photographers and clock assembling; not more than 20 persons per story; and

WHEREAS, the appellant claims the building was erected about 1910, equipped with a standpipe system fed from a 4,000-gallon house supply tank, 2,000 gallons reserved for standpipe purposes, the bottom of which is 14 ft. above the highest hose outlet; furthermore, the appellant contends the building is entirely covered with an automatic sprinkler system, and the existing condition provides adequate means of fire protection.

Resolved, that the orders of the fire commissioner and the decision of the commissioner of buildings be and they hereby are *modified*, and the appeal be and it hereby is *granted*, permitting the standpipe gravity tank to remain in its present location *on condition* that the bottom of tank shall be not less than 13 ft. 6 in. above highest outlet; that there shall be reserved for standpipe purposes at all times a total of not less than 2,500 gallons of water; that the existing sprinkler system shall be maintained in good working order; that the hose nozzles on top floor shall be changed to 1/2-inch diameter; and that other than as modified herein, the requirements of Rule 91, of the standpipe-fire line rules, shall be complied with in all respects.

471-32-A.

APPELLANT—Ansonia Fire Prevention Eng. Co., Inc., for Trustees of Columbia University in the City of New York, owner.

SUBJECT—Application for reopening—amendment—re Appeal from an order and a decision of the fire commissioner, and a decision of the commissioner of buildings.

PREMISES AFFECTED—447 West 59th street, northeast corner of Amsterdam avenue (Block No. 1131, Lot No. 1), Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(471-32-A)

WHEREAS, this appeal affecting premises 447 West 59th street, northeast corner of Amsterdam avenue (Block No.

1131, Lot No. 1), Borough of Manhattan, granted by the board, November 29, 1932, on certain conditions, and appellant requested an amendment of the resolution; and,

WHEREAS, a decision of the commissioner of buildings, dated December 15, 1933, reads:

"In reply to your letter of December 7th, you are advised that the objections to using the 1st, 2nd and 3rd floors for offices are as follows:

"1—Area of wire glass in southwest stair enclosure and doors to stairway exceed 720 sq. in. for each pane.

"2—Doors to stairway open in instead of out and are not self-closing.

"3—Exit signs and red lights to indicate southwest stairway not provided.

"4—Cut-off fireproof doors across corridors not self-closing.

"5—Adequate toilet facilities not provided.

"6—Resolution of Boards of Standards and Appeals (Cal. 471-32-A), Bulletin No. 49, dated December 6, 1932, prohibits the building from being occupied until standpipe system is installed."

Resolved, the resolution of the board, adopted November 29, 1932, be amended, so that as amended it will read as follows:

Granted as to Order No. 88011-F, Item 1, of the fire commissioner, and Item 6 of the decision of the commissioner of buildings, *on condition* that the present standpipe riser lines with proper hose connection and hose in each story shall be maintained together with siamese connection on the Amsterdam avenue front of the premises; that this standpipe system shall be fed from street service through 4-in. connection; that there shall be a watchmen's patrol system maintained through the entire building both day and night and that a portable clock system shall be maintained; that the building shall comply with the requirements of the decision of the commissioner of buildings, dated December 15, 1933, in all respects other than as modified herein; that during the continuation of this modification the building shall remain vacant and unoccupied above the third floor, permitting the lower floors to be occupied for office work in connection with Extension Courses of Columbia University; that such auxiliary fire-fighting appliances shall be installed in the occupied floors as the commissioner may direct.

248-33-A.

APPELLANT—Brooklyn and Queens Y.M.C.A., owner.

SUBJECT—Application for reopening—amendment re Appeal (order of the fire commissioner). (Previously granted on condition.)

PREMISES AFFECTED—89-25 Parsons boulevard (Block No. 834, Lot No. 1), Jamaica, Queens.

APPEARANCES—

For Appellant—R. Frank Woodhall.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott 5

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Chief McElligott 5

Negative 0

Absent 0

THE RESOLUTION—

(248-33-A)

WHEREAS, this appeal affecting premises 89-25 Parsons boulevard (Block No. 834, Lot No. 1), Jamaica, Borough of Queens, was granted by the board November 21, 1933, on

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certain conditions, and appellant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on November 21, 1933, be amended, so that as amended the resolution will read as follows:

" . . . Granted on condition that there shall be at no time more than two (2) tanks of chlorine on the premises, each tank containing no more than twenty (20) pounds of chlorine; that each tank shall be immersed in water in the room as indicated on plans marked "Received January 9, 1934"; that this room shall be located in the basement and shall be completely enclosed with fireproof construction; that the door to same shall be fireproof and vapor-tight; that there shall be provided a vent not less than 6 in. above floor of room; that there shall be provided an opening directly to the outer air not less than 2 ft. by 4 ft. in area, equipped with hinged, steel, louvered door; that an open sprinkler head shall be installed in this room near the ceiling, supplied with water from the house service line, with a valve on exterior of room to control the water supply; that the equipment shall be properly regulated with a Wallace & Tiernan or a similar valve approved by the commissioner; and that the system shall be at all times under the supervision of an engineer holding Certificate of Fitness.

BUILDING ZONE CASES.

68-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for M. C. R. Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar).

PREMISES AFFECTED—9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr.

For Opposition: George E. Hill.

ACTION OF BOARD—Laid over to February 14, 1934, at 10 a. m., on request of applicant.

344-33-BZ.

APPLICANT—Samuel Rosenblum, for Parkville Amusement Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under Sections 7 (a), 7 (c) and 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a recreation centre.

PREMISES AFFECTED—1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: William Barron, Henry Hoeffling.

ACTION OF BOARD—Laid over to February 6, 1934, 2 p. m., on request of representative of attorney for objectors.

313-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Isaac Klapper, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr.

For Opposition: E. Hayslip.

ACTION OF BOARD—Laid over to February 14, 1934, at 10 a. m., on request of attorney for objectors.

337-33-BZ.

APPLICANT—John J. Dunnigan, for City Bank Farmers Trust Co., as Trustee of Estate of William Waldorf Astor.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7 (f) and 21 of the building zone resolution, to permit in a business district the maintenance of a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—East side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), The Bronx.

APPEARANCES—

For Applicant: John J. Dunnigan, J. F. Dusenbury, William R. Altman, Carl S. George.

For Opposition: Sidney R. Diamond, Jacob Weisman, Louis J. Witkin.

ACTION OF BOARD—Laid over to February 14, 1934, at 2 p. m., for report of committee on inspection.

116-33-BZ.

APPLICANT—Arthur F. Lamanda, for Katherine Alberti, owner.

SUBJECT—Application for reopening—reconsideration under new facts—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ.

PREMISES AFFECTED—50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 12, 28, 29, 30 and 31), Manhattan.

APPEARANCES—

For Applicant: Arthur F. Lamanda, Frank J. Alberti.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing, February 20, 1934, at 10 a. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland and Savage and Assistant Chief

Kidney	4
Negative	0
Not Voting: Commissioner Peppe	1
Absent	0

202-33-BZ.

APPLICANT—John J. Dunnigan, for Kapet Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Gun Hill road and Mickler avenue (Block No. 4786, Lot No. 36), The Bronx.

APPEARANCES—

For Applicant: John J. Dunnigan.

For Opposition: Jacob Granat.

ACTION OF BOARD—Application denied.

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THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(202-33-BZ)

WHEREAS, John J. Dunnigan, for Kapet Holding Corp., owner, filed, June 2, 1933, an application under the building zone application to permit in a business use district the erection and maintenance of a gasoline service station; Premises: Northeast corner of Gun Hill road and Mickle avenue (Block No. 4786, Lot No. 36), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its special meeting, January 26, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Gun Hill road is in a business and residence district; that Mickle avenue is in a residence district; and that Arnow avenue is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 1, 1933, re Applic. N. B. 208-1933, reads:

"1. Erection of building and occupancy of premises in business district for use as gasoline service station is contrary to provisions of Building Zone Resolution."

and WHEREAS, the premises consist of a plot of ground having a frontage of 72 ft. on Gunhill road, 40 ft. on Mickle avenue and a distance of 50 ft. along the south lot line—upon which it is proposed to erect a one story structure 20 ft. by 35 ft. to be used as office and grease pits and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal was made the subject of an inspection by a committee of the board, report of which was read at this hearing, and which report is as follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 202-33-BZ.

Premises northeast corner of Gun Hill Road and Mickle avenue (Block No. 4786, Lot No. 36), The Bronx.

This is an application for a zoning variation to permit a gasoline service station on a plot in a business district on Gun Hill road near the intersection of Mickle and Arnow avenues, Borough of The Bronx. The plot is irregular but is part of a larger tract under the same ownership which has a commanding location at the junction of these three streets, of which Gun Hill road is a main traffic artery. A portion of this plot has been or will be dedicated to street use, making this intersection into what will become an important public square. The business area is generally vacant but adjacent on all sides there are numerous private dwellings indicating that this section is on the way for development as a residential section. The hardship claimed is that the property is in a business district and the carrying charges as vacant property are burdensome. The land is not mortgaged and the only carrying expenses are the taxes. Other vacant properties nearby are equally adaptable for gasoline stations and to grant this would be to encourage other applications. Two other applications in the vicinity have been denied.

In this case there are ten objectors and twenty-six giving consent. One consent should be disregarded as it is from the same owner covering the lot adjoining.

This case was laid over to obtain further information as to a private restrictive covenant against non-conforming uses but, while it appeared that there had been such a covenant, it was not made part of the deed to the premises under appeal although it might be made to apply.

The Committee which inspected the site on January 4, 1934, is of the opinion that sufficient hardship has not been shown to warrant favorable action and that the section should be permitted to develop without the proposed non-conforming use, there being no other non-conforming uses now in the area. The Committee points out that all the consents are from owners of vacant lots and the objections mainly from house owners as well as some owners of vacant property.

Denial is recommended.

(Signed) H. H. MURDOCK,
Chairman.
HENRY L. CONNELL,
JAMES P. HOLLAND.
Committee of Inspection.

and

WHEREAS, the opinion of the Committee being that the applicant had not substantiated his basis of hardship under Section 21 of the building zone resolution the board deemed that applicant was not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and the application be and it hereby is *denied*.

191-33-BZ.

APPLICANT—Samuel Rosenblum, for Queensboro Savings Bank, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Sutphin boulevard, Lakewood to Shore avenues (Block No. 1144, Lot No. 12), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe, Savage.....	4
Negative: Assistant Chief Kidney.....	1
Absent	0

THE RESOLUTION—

(191-33-BZ)

WHEREAS, this application affecting premises west side of Sutphin boulevard, Lakewood to Shore avenues (Block No. 1144, Lot No. 12), Borough of Queens, was granted by the board September 19, 1933, on certain conditions, and applicant requested a longer period of time.

Resolved, that the resolution adopted by the board September 19, 1933, only so far as it refers to the duration of the temporary permit, be amended, so that as amended this portion of the resolution will read:

"*Granted* for a temporary period of five years, under section 21, from the date of this action, *on condition* that the provisions of the resolution shall be complied with in all respects other than as amended herein; and in addition that plans shall be submitted to this board for approval by the Chairman in behalf of the board; before same are filed with the commissioner of buildings and that permits shall be obtained within six months and all work involved completed within one year from the date of this amended resolution."

Adjourned, 1.15 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 30, 1934.

Present: Chairman Murdock, Commissioners Holland, Peppe, Savage and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, January 23, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, January 23, 1934, were approved as printed in Bulletin No. 5, Vol. XIX.

BUILDING ZONE CASES.

205-29-BZ.

APPLICANT—Edward L. Kelly, for Whitestone Service Station, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolutions, to permit partly in a residence district and partly in a business district, the maintenance of a gasoline service station previously granted by the board for a temporary period (reopened September 19, 1933).

PREMISES AFFECTED—157-30 Willets Point boulevard (Block No. 619, Lot No. 15), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Abraham Rac.

For Opposition: None.

ACTION OF BOARD—Laid over to February 14, 1934, at 10 a. m., on request of applicant's representative.

317-33-BZ.

APPLICANT—Edward L. Kelly, for Dickel Construction Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Abram Raff.

For Opposition: Mae Rabin.

ACTION OF BOARD—Laid over to February 20, 1934, at 10 a. m., on request of applicant's representative.

334-33-BZ.

APPLICANT—Charles M. Lobejager, for Harry Sheer, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Louis Gallucci, Albert G. Dimmerling, Charles M. Lobejager.

For Opposition: Maxim Ingler, Morris Rabino-witz, Louis Welt, F. Lappolla, R. Catalano.

ACTION OF BOARD—Laid over to February 14, 1934, at 2 p. m., for report of committee on inspection.

242-33-BZ.

APPLICANT—Edward V. McKeown, for 1351 Boscobel Avenue Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

APPEARANCES—

For Applicant: William R. Covington.

For Opposition: J. E. Wahalen, Saul Gerber.

ACTION OF BOARD—Laid over to February 6, 1934, at 10 a. m., on request of applicant's representative.

318-33-BZ.

APPLICANT—Jerome F. Healy, Jr., for Benedicta Vetter, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7e, 7g and 21 of the building zone resolution, to permit in a business district the conversion of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—2259-2261 Washington avenue, west side, 101 ft. north of East 182d street (Block No. 3038, Lot No. 35), The Bronx.

APPEARANCES—

For Applicant: Jerome F. Healy, Jr., John Vetter.

For Opposition: Sylvia Witkin, C. A. Appleton, John Block, Ralph Mauro.

ACTION OF BOARD—Laid over to February 14, 1934, at 2 p. m., for report of committee on inspection.

323-33-BZ.

APPLICANT—George A. Schonewald, for Elgeo Realty Corp., owner.

SUBJECT—Application for reopening—restoration to Calendar—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

APPEARANCES—

For Applicant: George A. Schonewald.

ACTION OF BOARD—Application reopened, restored to Calendar and set for Calendar call February 13, 1934.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Negative	0
Absent	0

240-33-BZ.

APPLICANT—Irving Proskauer, for John J. Halleran, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Nassau boulevard and 250th street (Block No. 4080, part of Lot No. 250), Little Neck, Queens.

APPEARANCES—

For Applicant: James Kearney.

ACTION OF BOARD—Application restored to Calendar and laid over to February 14, 1934, at 2 p. m., for report of committee on inspection.

MINUTES

THE VOTE TO RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

199-33-BZ.

APPLICANT—Lama and Proskauer, for William H. Parry.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of 250th street and Nassau boulevard (Block No. 4084, part of Lot No. 200), Little Neck, Queens.

APPEARANCES—

For Applicant: James Kearney.

ACTION OF BOARD—Application restored to Calendar and laid over to February 14, 1934, at 2 p. m., for report of committee on inspection.

THE VOTE TO RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

541-32-BZ.

APPLICANT—Robert C. Weissmantel, for Tisdale Lumber Co., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence district the change of occupancy of an existing building to a sales room, motor vehicle repair shop and service station.

PREMISES AFFECTED—East side of 130th street, 330 ft. south of Jamaica avenue (Block No. 234, Lot No. 79), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Robert C. Weissmantel.

ACTION OF BOARD—Application reopened, and resolution amended to extend time.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(541-32-BZ)

WHEREAS, this application affecting premises east side of 130th street, 330 ft. south of Jamaica avenue (Block No. 234, Lot No. 79), Richmond Hill, Borough of Queens, was granted by the board March 3, 1933, under certain conditions, which conditions were modified July 18, 1933, and applicant requests an extension of time.

Resolved, that the resolution of the board adopted on March 3, 1933, as amended by resolution adopted July 18, 1933, be amended, only so far as it has to do with the obtaining of permits and the completion of the work, so that as amended the last clause of the resolution will read:

"That in view of the statement made by the applicant that all permits have been obtained and that the work has partially been completed, all work shall be completed within six months from the date of this amended resolution."

452-29-BZ.

APPLICANT—Thomas A. Grady, for Norman Gottlieb and Nathan Frischling, owners.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under sections 7g and 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2201-2205 59th street, northeast corner of 22d avenue (Bay parkway); (Block No. 6547, part of Lot No. 1), Brooklyn.

APPEARANCES—

For Applicant: Thomas A. Grady.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(452-29-BZ)

WHEREAS, this application affecting premises 2201-2205 59th street, northeast corner of 22d avenue (Bay parkway); (Block No. 6547, part of Lot No. 1), Borough of Brooklyn, was granted by the board April 14, 1931, on certain conditions, and owner requested an amendment of the conditions through his agent, T. A. Grady.

Resolved, that the resolution adopted by the board on April 14, 1931, only so far as it refers to curb cuts and concrete curbing and driveways, be amended, so that as amended the resolution will read:

"... Granted on condition that there shall be installed at the building line on the Bay parkway frontage a concrete curbing not less than 12 in. in height and 12 in. in width with not more than two openings to Bay parkway, these openings not to exceed 25 ft. in width each; that no part of any opening shall be nearer than 3 ft. to the intersection of the northerly interior lot line and not nearer than 5 ft. to the intersection formed by Bay parkway and 59th street; that there shall be a similar concrete curbing not less than 2 ft. in length at 59th street, commencing at the corner formed by the intersection of Bay parkway and 59th street; that curb cuts opposite these openings shall not exceed 30 ft.; that there shall be not more than one vehicular opening not over 40 ft. in width to the gasoline selling area on the 59th street front; that no pumps shall be located within 10 ft. on the building line; that the exterior of the one-story structure, indicated on these plans, shall be constructed of architectural terra cotta; that any advertising displayed shall be confined to the illuminated glass globes of the gasoline pumps; that any other structure erected on these premises for use incidental to the conduct of the business thereon shall be restricted to one story in height and shall be finished on the exterior with architectural terra cotta; that the easterly wall of the gasoline station may be removed and set back to a point 39 ft. 2 in.; and that at this location there shall be erected a new 8-in. masonry wall unpierced throughout its height and length extending for the full depth of the property at this point on 59th street; that the extension permitted above shall be used as a lubricating and washing place for automobiles; and that all permits shall be obtained within three months and all work involved shall be completed within six months from the date of this amended resolution."

Adjourned, 12.15 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 30, 1934.

Present: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney.

PETITION FOR VARIATION.

272-33-S.

PETITIONER—Croker Fire Prev. Corp., for East River Savings Bank, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the Commissioner of Buildings.

PREMISES AFFECTED—543 Eighth avenue (Block No. 761, Lot No. 32), Manhattan.

APPEARANCES—

For Petitioner: Sidney L. Strauss

For Administration: Inspector Maher of Dept. of Buildings.

ACTION OF BOARD—Laid over to February 6, 1934, at 2 P.M. for petitioner to apply for new certificate of occupancy.

APPEALS FROM ADMINISTRATIVE ORDERS.

367-33-A.

APPELLANT—G. Fischer, for Rogers Peet Company, owner.

SUBJECT—Appeal from orders of the Commissioner of Buildings.

PREMISES AFFECTED—842-846 Broadway, 65-87 East 13th street and 140-148 Fourth avenue (Block No. 565, Lot No. 21), Manhattan.

APPEARANCES—

For Appellant: Gustave Fischer.

For Administration: Inspector Maher of Dept. of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(367-33-A)

WHEREAS, G. Fischer, for Rogers Peet Company, owner, filed December 4, 1933, an appeal from an order of the commissioner of buildings, affecting premises 842-846 Broadway, 65-87 East 13th Street and 140-148 Fourth avenue (Block No. 565, Lot No. 21), Borough of Manhattan; and

WHEREAS, the orders of the commissioner of buildings, dated November 23, 1933, read:

"Order No. 7211-F

8. Replace all monitor nozzles with approved 15" nozzles."

"Order No. 7213-F

1. Provide a tank on roof of at least 3500 gallons capacity for the standpipe system, said tank to be elevated that the bottom will be not less than 20 feet above the roof level. Sections 580-1, Chapter 5, Code of Ordinances and Rules of the Board of Standards and Appeals"; and

WHEREAS, the building is fireproof, 8 stories in height, 246 feet frontage on 13th street, 126 feet frontage on 4th avenue and 64 feet frontage on Broadway; OCCUPIED for the manufacture of clothing, total occupancy of 1605 persons; and

WHEREAS, the appellant claims as to Order No. 7213-F, item No. 1, the existing standpipe system was installed at

the time the building was erected in 1901, fed from a 3500 gallon house supply tank, 2200 gallons reserved for standpipe purposes, the bottom of which is 9'-6" above the hose outlet of top story, the tank is constantly kept fully by an automatic steam pump in the cellar; the entire building is covered by an approved sprinkler system connected with the National District Telegraph Company fire alarm system; as to Order No. 7211-F, item No. 8, the hose lines are equipped with 19-30 inch standard Underwriter's nozzles and 17-12 inch plain iron nozzles, all nozzles on hose lines of top story have ½ inch outlets; furthermore, the appellant contends that all other requirements of the Commissioner of Buildings will be complied with; that the existing fire fighting equipment is adequate.

Resolved, that the orders of the commissioner of buildings be and they hereby are modified and the appeal be and it hereby is *granted* as to Order No. 7211-F, item 8, permitting the continuation of use of the existing nozzles, if approved as to usable condition provided, that the nozzles on the top floor shall be one-half inch in diameter; that there shall be installed on all floors at the hose outlets of the standpipe lines in the stairways, not less than 100 feet of approved hose and not less than 50 feet of approved or rubber lined hose on the center riser; and, *granted* as to Order No. 7213-F item 1, permitting the standpipe tank to remain at its present elevation, provided the bottom of the tank shall not be less than 9 feet 3 inches above the hose outlet in the 8th or top story, *on condition* that there be reserved at all times for standpipe purposes only, not less than 2100 gallons of water and that there shall be maintained at all times in the penthouse not less than two two-and-one-half gallon approved fire extinguishers.

243-33-A.

APPELLANT—Maria Bonagur, owner; request for reopening made by Louis H. Robinson, for owner.

SUBJECT—Application for reopening—restoration to Calendar—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2271 Bathgate avenue (Block No. 3050, Lot No. 73), The Bronx.

APPEARANCES—

For Appellant: Joel Jacobs.

For Administration: None.

ACTION OF BOARD—Appeal reopened, restored to calendar and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney

Negative

Absent

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(243-33-A)

WHEREAS, Maria Bonagur, owner, filed July 3, 1933, an appeal from an order of the fire commissioner affecting premises 2271 Bathgate avenue (Block No. 3050, Lot No. 73), The Bronx, and

WHEREAS, the order (No. 81722-LC) of the fire commissioner, dated June 12, 1933, reads:

"With reference to your application, dated March 29, 1933, for a permit to maintain a non-storage garage at the above location, I regret to inform you that I am without power to grant such permit because the building is of frame construction.

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"Section 5, paragraph 4, Chapter 5, of the Code of Ordinances provides that 'no change of occupancy or use shall be made in any . . . now existing building . . . unless . . . such building conforms to the provisions of the building code with respect to buildings hereafter altered for the proposed new occupancy or use.'

"Section 90, Chapter 5, of the Code of Ordinances, provides that ' . . . no frame . . . structure shall be hereafter built . . . within . . . the fire limits.'

You are, therefore, ordered to:

"1. Remove all motor vehicles, the fuel tanks of which are not empty and discontinue use of premises as a garage"; and

WHEREAS, the premises consists of a lot, 25 ft. in width, extending 176 ft. entirely through the block, upon which is erected a 2½ story frame dwelling along the front street line of the lot and a 1½ story frame barn along the rear street line; located within the fire limits and also within a business use district; and

WHEREAS, the appellant has filed drawings showing a 1½ story attached frame building 17 ft. 6 in. by 27 ft. 9 in. in area on rear of the lot, 27 ft. 4 in. in height above rear street level and 16 ft. 10 in. in height above the lot level, a separating party wall and a common party driveway along the northerly lot line leading to the front street; there is no entrance or exit to the rear street from the premises; and

WHEREAS, the appellant claims the 1½ story frame building in question was erected in 1895 on the rear of the lot for use as a stable and has been used as a private garage since 1916 (one affidavit to such effect is filed, acknowledged in Suffolk County, not certified to by the County Clerk); it is proposed to store one pleasure motor vehicle in the garage; furthermore, the appellant contends that the building in question is entirely isolated from surrounding buildings, and the use of the same as a private garage creates no fire hazard; and

WHEREAS, This appeal was dismissed December 15, 1933, and reopened by vote of the board.

Resolved, that the order of the Fire Commissioner be and it hereby is modified and the appeal be and it hereby is *granted on condition* that the storage be limited to one automobile of the pleasure car type; and that there shall be no gasoline stored or kept on the premises, other than in the tank of the car.

56-33-A

APPELLANT—Croker Fire Prevention Corp., for Nathan Manufacturing Co., owner.

SUBJECT—Application for reopening—amendment—re Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—417-423 East 105th street and 404-418 East 106th street (Block No. 1699, Lot Nos. 5 to 11 inclusive and Lot No. 39), Manhattan.

APPEARANCES—

For Appellant: Sidney L. Strauss.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(56-33-A)

WHEREAS, this appeal affecting premises 417-423 East 105th street and 404-418 East 106th street (Block No. 1699, Lot No. 39 and 5-11), Borough of Manhattan, was granted by the board October 31, 1933, on certain conditions, and appellant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on October 31, 1933, be and it hereby is *amended*, as follows:

. . . . "that the order and decision of the fire commissioner, affecting Order No. 99592-F, be and they hereby are *modified*, and the appeal be and it hereby is granted, waiving the requirements for providing approved fireproof windows or iron shutters, *on condition* that there shall be installed in the room designated as dipping room, located on the 1st floor, Section 10, and in the room designated as paint shop on the 2d floor, which is adjacent to Section No. 1, in the event that these rooms are used for paint dipping and applying paint by brush or spray, approved skylights, and ceilings fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the windows in the paint shop on the 2d floor, facing westerly, toward the fire escape shall, in the event that this paint shop is used for spraying or brushing paint, be made fireproof and self-closing; that the horizontal openings on the various floors shall be protected with fireproof, self-closing doors as indicated on plans marked "Received October 24, 1933"; that the sprinkler system now installed in the premises shall be maintained in good working order, and that this modification shall continue only so long as the occupants of all parts of the building do not exceed 200, and that painting or dipping in paint shall not be carried on in any room other than in rooms designated on plan for these operations."

1095-27-A

APPELLANT—Kohler Company, lessee.

SUBJECT—Application for reopening—extension of permit—re Appeal from decision of the fire commissioner.

PREMISES AFFECTED—705-713 Fifth avenue and 3-5 East 55th street (Block No. 1291, Lot Nos. 1, 2, 3, 4 and 5), Manhattan.

APPEARANCES—

For Appellant: C. C. Childress.

For Administration: None.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative 0

Absent 0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(1095-27-A)

WHEREAS, this appeal affecting premises 705-713 Fifth avenue and 3-5 East 55th street (Block No. 1291, Lot Nos. 1, 2, 3, 4 and 5), Borough of Manhattan, was granted by the Board February 28, 1928, and time extended June 23, 1931, and appellant requests a further extension of time.

Resolved, that the resolution of the Board, adopted on June 23, 1931, be *amended*, only so far as it refers to the period for which the modification is granted, so that as amended the last clause of the resolution will read:

"and that this modification shall be granted for a temporary period of two years from the date of this amended resolution."

MINUTES

BUILDING ZONE CASES.

305-33-BZ.

APPLICANT—Emil Guterman, for William Berg, owner.
SUBJECT—Application (re decision of the commissioner of bldgs.) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.
PREMISES AFFECTED—104-106 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot Nos. 38 and 40), Brooklyn.

APPEARANCES—

For Applicant: Emil Guterman, Max Siskin.
For Opposition: Charles P. Pinto.

ACTION OF BOARD—Application withdrawn with prejudice after reading of report of Committee.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney..... 5
Negative 0
Absent 0

THE RESOLUTION—

(305-33-BZ)

WHEREAS, this application was the subject of an inspection and report by a committee of the board, which report was read at this hearing; and

WHEREAS, the report of committee recommends either denial or withdrawal, with prejudice to the applicant.

Resolved, that the application be and it hereby is withdrawn with prejudice.

304-33-BZ.

APPLICANT—Michael Leone, for Vincenzo Mascoli, owner.

SUBJECT—Application (re decision of the commissioner of bldgs.) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing building (dwelling) to business use (stores).

PREMISES AFFECTED—838 Washington avenue (Block No. 1176, Lot No. 97), Brooklyn.

APPEARANCES—

For Applicant: Michael Leone, Clarence Sutphin.
For Opposition: None.

ACTION OF BOARD—Application withdrawn after argument and reading of report of committee.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney..... 5
Negative 0
Absent 0

THE RESOLUTION—

(304-33-BZ)

WHEREAS, this application was the subject of an inspection and report by a committee of the board, which report was read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

"Re: Cal. No. 304-33-BZ.

"Premises: 838 Washington avenue (Block No. 1176, Lot No. 97), Brooklyn.

"This is an application for a use variance for a plot on the westerly side of Washington avenue, located in a residence use district. The plot is 27 ft. 8 in. frontage, running in depth approximately 130 ft., with a small portion in the rear fronting on Lincoln place. On the property there is a 4-story and basement tenement house and it is proposed to alter this building by lowering the first floor to grade level and altering the front portion of the building into two stores extending out

to the building line and with the main entrance to the building located between the stores.

"There are two short blocks between St. John's place and Eastern parkway. On the easterly side of Washington avenue the property is zoned for business for a distance of approximately 195 ft., the balance of the frontage a total of approximately 91 ft., is zoned for residence, but is occupied by two story buildings used for business on the first story and business and residential use on the second story. The business uses in this portion of the block zoned for residence were in existence prior to the passage of the Building Zone Resolution and are accordingly existing legally non-conforming. An appeal for a variance in connection with one of these buildings was before the board under Cal. No. 460-31-BZ, premises 793 Washington avenue, for further extension of one of these buildings into the residence use district, which appeal was granted. On the westerly side of Washington avenue the property southerly from St. John's place is zoned for business for a distance of 100 ft. and the balance of 119 ft. is in the residence zone, there being 6 ft., however, already used for business prior to the passage of the Zone Resolution, this being a portion of Lot No. 95.

"The parcel at the corner of Lincoln place and Washington avenue with a frontage of 57 ft. 3½ in. on Washington avenue was before the board under Cal. No. 412-25-BZ and a variance was granted permitting the first story for a depth of 50 feet from Washington avenue to be used for business. There remains, therefore, on this block along Washington avenue, only the premises under appeal in the present case and the adjoining Lot No. 96 with a frontage of 27 ft. 8 in. which are not used for business.

"From Lincoln place to Eastern parkway on the westerly side of Washington avenue and from Lincoln place to Eastern parkway on the easterly side of Washington avenue the blocks are zoned for residence, but a plot with a frontage of 91 ft. on the easterly side at the corner of Lincoln place has been before the board on appeal under Cal. No. 816-24-BZ and a variance permitting business use granted, the reason for this change being predicated on the fact that the building was formerly a motion picture theatre, a non-conforming use in a residence district.

"The Committee which inspected this property on January 25, 1934, is of the opinion that the applicant in this case has justified his claim of hardship and is entitled to a variance permitting the first story to be changed to business as proposed. If the board should make this variance applied for and the adjoining 27-ft. plot should also apply for a zoning variance, there would be no frontage on which business was not permitted. The adjoining owner at No. 832 might be entitled to a similar variance if an appeal were made. If the appeals were granted in connection with these two buildings, the entire block front on both sides of Washington avenue from St. John's place to Lincoln place will be used for business either by being located in business area or being a non-conforming business use prior to the passage of the Zoning Resolution or by virtue of a variance granted by this board. Under these circumstances the board would have, by granting the several variances, changed the zoning use of the entire block to business and assumed thereby the power vested only in the board of estimate and apportionment.

"In the opinion of the committee the case should therefore be taken to the board of estimate and apportionment for rezoning of these two block fronts for business use.

"Under these circumstances, the committee is of the opinion that the case should be withdrawn and application for a zoning variance be made to the board of estimate and apportionment and that the board of

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standards and appeals should adopt a resolution recommending to the board of estimate and apportionment that this use district change be made.

(Signed) HARRIS H. MURDOCK,
Chairman.
"JAMES P. HOLLAND,
"VINCENT PEPPE,
"BERNARD A. SAVAGE,
Committee of Inspection

and

WHEREAS, this report recommended that this application be withdrawn and application for a zoning variance be made to the board of estimate and apportionment for a change of zone.

Resolved, that the application be and it hereby is withdrawn.

147-33-BZ.

APPLICANT—Celler and Kraushaar, for Arseekay Syndicate, Inc., owner.

SUBJECT—Application (re decision of the supt. of bldgs.) under section 21 of the building zone resolution, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North side of Queens boulevard, 333.03' east of 56th avenue (Block No. 1845, Lot No. 41), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Meyer Kraushaar.

For Opposition: Edmund Rowan, Henry Schloh.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney.....	5
Negative	0
Absent	0

THE RESOLUTION—

(147-33-BZ)

WHEREAS, Celler & Kraushaar, for Arseekay Syndicate, Inc., owner, filed April 19, 1933, an application under the building zone application to permit, partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises: north side of Queens boulevard, 333.03 ft. east of 56th avenue (Block No. 1845, Lot No. 41), Elmhurst, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 30, 1934, after due notice by publication in the Bulletin of the board of standards and appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business district, 57th avenue is in an unrestricted district, 90th street is in a business, unrestricted and residence district and 56th avenue is in a residence district; and

WHEREAS, the decision of the Superintendent of Buildings, rendered April 7, 1933, re: Plan No. 234-1933, reads:

"It is contrary to the Zone Law to erect a gasoline station on a lot located partly in a business district and partly in a residence district (art. 2, sec. 3 and 4, E.Z.R.) also lot involved is under condemnation proceedings by the City"; and

WHEREAS, The premises consist of an irregular shaped plot of ground having a frontage of approximately 158' on Queens boulevard and a distance of 126' along the west lot line—upon which it is proposed to erect a one story building 22' by 70', to be used as office, grease pits and auto laundry—and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises were subject of an inspection by a committee of the board, report of which inspection was read at this hearing; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 of the building zones resolution, for a temporary period of 5 years.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted for a period of five years under section 21 on condition that the plot shall be properly drained to the satisfaction of the officials of the Borough of Queens; that when such draining as may be required is installed, that the plot shall be leveled substantially to the grade of Queens boulevard; that there shall be constructed along the interior lot line to the west, north and east, a substantial woven wire fence, not less than 6 feet in height; that the accessory buildings shall be constructed substantially as indicated on plans filed with this appeal and located at the northerly portion of the plot; that these accessory buildings shall not exceed one story in height and shall be constructed of incombustible materials, except that the roof beams, roof boarding, doors and window frames may be of wood, provided the ceilings throughout are fire retarded in accordance with the rules of the board of standards and appeals; that there shall be no windows opening on the rear lot line; that the section for greasing shall have the front left open as indicated; that these buildings shall be faced on all sides with face brick or architectural terra cotta; that the balance of the plot where not covered with accessory buildings shall be cement paved or covered with cracked blue-stone; that such gasoline pumps as are erected shall be not nearer than 10 feet to the present street line of Queens boulevard; that there shall be no structure erected on that portion of the plot lying within the bed of 57th avenue; that this application is granted by virtue of the power granted this board under chapter 690 of laws of 1926, section 35; that there shall be filed with this board and with the county clerk an undertaking that when taken for street purposes no claim will be made for improvements upon the land within the bed of 57th avenue; that there shall be erected along the Queens boulevard frontage a concrete curb not less than 12 inches in width and 12 inches in height, with not over 3 openings therein, each not exceeding 25 feet in width; that opposite these openings there shall be curb cuts not over 30 feet in width; that no openings in the street building line curb shall be nearer than 5 feet to the westerly interior lot line; that there shall be no portable gasoline tanks used on or from the property; that signs advertising non-conforming use shall be limited to the illuminated globes of the gasoline pumps and a flat sign placed against the front of the building, excluding all signs of a temporary nature; that there shall be no open excavation under the accessory buildings except pits for the greasing racks; that no open flame shall be permitted on the premises; that there shall be no repairing carried on and no parking or storing of cars, other than those being serviced; that all permits shall be obtained within 6 months and all work completed within one year from the date of this action.

297-33-BZ.

APPLICANT—William Shary, for Teresa C. McGroddy, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—East side of Sedgwick avenue, 150.19 ft. north of Undercliff avenue (Block No. 2538, part of Lot No. 3), The Bronx.

APPEARANCES—

For Applicant: William Shary.

For Opposition: Mark Alexander.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(297-33-BZ)

WHEREAS, William Shary for Teresa C. McGroddy, owner, filed September 12, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: East side of Sedgwick avenue, 150.19 ft. north of Undercliff avenue (Block No. 2538, part of Lot No. 3), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 30, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sedgwick avenue is in a business district and Undercliff avenue is in a residence district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered August 26, 1933, re: N. B. 344-1933, reads:

"1. Erection of building and maintenance of premises in business district for use as gasoline service station is contrary to provisions of building zone resolution";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on Sedgwick avenue and a maximum depth of 53.6 ft.—upon which it is proposed to erect a one-story structure 36 ft. by approximately 20 ft., to be used as office and grease pits and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, report of which inspection was read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

"Cal. No. 297-33-BZ.

"Premises: East side of Sedgwick avenue, 150.19 ft. north of Undercliff avenue (Block No. 2538, part of Lot No. 3), The Bronx.

"This is an application for a variance of the Building Zone Resolution to permit a gasoline service station on this plot, located on Sedgwick avenue, approximately 150 ft. north of the intersection of Sedgwick avenue and Undercliff avenue.

"This plot under appeal is a portion of a larger plot of the same width, which extends through to Undercliff avenue and is under the same ownership as the adjoining 20 ft. lot to the north, on which the owner's house is located. There is approximately 30 ft. difference in grade between Sedgwick avenue at this point and the corresponding point on Undercliff avenue. On the opposite side of Sedgwick avenue are garages and factories, two of these garages having been erected under variances granted by the Board in 1919 and 1921.

"The committee inspected the property on January 18, 1934, and are in agreement that it is impracticable to develop this plot for a conforming use, owing to the surrounding conditions and the difference in grade, and are of the opinion that a gasoline service station at this point will harm no one.

"Consideration has been given to the objections from the two owners of vacant lots and from the owner of an apartment building on Undercliff avenue, several hundred feet removed from the premises under appeal. In the opinion of the committee, this station would have no adverse effect on their property.

"Inasmuch as sufficient hardship has been shown to justify the variation, the committee recommends that the application be granted under such conditions as the Board may deem are justified.

"(Signed) H. H. MURDOCK,

Chairman.

"JAMES P. HOLLAND,

"VINCENT PEPPE,

"BERNARD A. SAVAGE."

Committee of Inspection

and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 of the building zone resolution.

Resolved, that the board of standards and appeals does hereby make a variation (under section 21) in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the site shall be leveled substantially to the grade of Sedgwick avenue; that a proper retaining wall shall be constructed on the rear lot line; that there shall be constructed on the southerly and northerly lot lines, a substantial woven wire fence, not less than 6 feet in height; that the accessory buildings shall be substantially as indicated on the plans filed with this appeal and shall not exceed one story in height, and shall be constructed of incombustible material, except that the roof boarding and roof beams, windows and doors may be of wood provided the ceilings are fire retarded in accordance with the rules of the Board of Standards and Appeals; that the fronts of greasing pits shall be open; that there shall be no open excavation under any of these buildings except the pits for the greasing racks; that there shall be no open flame permitted on the property; that no portable gasoline pumps shall be used on or from the property; that the entire plot, where not covered by accessory buildings shall be cement paved or covered with cracked blue-stone; that gasoline pumps shall not be erected nearer than 10 ft. to the street line or any part of an accessory building; that signs advertising non-conforming use shall be limited to the illuminated globes of the pumps and to a flat sign placed on the front of the accessory buildings excluding temporary signs of every nature; that there shall be erected along the street building line a concrete curbing 12 in. in width by 12 in. in height, with not over two openings therein, each opening not to exceed 30 ft.; that opposite these openings shall be curb cuts not exceeding 35 ft.; that no part of any opening shall be nearer than 5 ft. to the northerly or southerly interior lot lines; that no automobile repairing shall be carried on in the premises; that there shall be no parking or storage of cars other than those being serviced; that if gasoline tanks of the double-shell construction are installed, that they may be installed on earth well levelled and tamped; that the tanks shall be not nearer than 6 in. each to the other and the space between the tanks filled in with earth; that all permits shall be obtained within 6 months and all work completed within one year from the date of this action.

321-30-BZ.

APPLICANT—Kennedy & Ellner, for Summerville Realty Co., Inc., present owner.

SUBJECT—Application (re. decision of the Supt. of Bldgs.) under Section 21 of the Building Zone Resolution, to permit in a business district the erection and maintenance of a gasoline service station, (previously laid over for full vote of the Board; restored to Calendar December 15, 1933).

PREMISES AFFECTED—Northwest corner of Union Turnpike and Parsons Boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Queens.

APPEARANCES—

For Applicant: William Kennedy.

For Opposition—Joseph Katsh.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Asst. Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(321-30-BZ)

WHEREAS, Kennedy and Ellner, substituted for McCooey & Conroy for Summerville Realty, Inc., substituted for Consolidated Associates, Inc., owner, filed May 9, 1930, an application under the building zone application to permit

MINUTES

in a business district, the erection and maintenance of a gasoline service station; premises: Northwest corner of Union Turnpike and Parsons Boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 30, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Union Turnpike is in a business district, Parsons Boulevard is in a business district and 154th street is in a residence district; and

WHEREAS, the decision of the Superintendent of Buildings, rendered April 17, 1930, re: Plan No. NB 1626/30, reads:—

"The erection of a gas station in a business district is contrary to Section 4 of the Zoning Law"; and

WHEREAS, the premises consist of a plot of ground having a frontage of 100.78 ft. on Union Turnpike; 95.71 ft. on Parsons Boulevard and a distance of 115.58 ft. along the north lot line—upon which it is proposed to erect a one story office and grease pit structure, 20 ft. by 36 ft. in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the Board deemed that applicant has substantiated his basis of appeal under Section 21 of the Building Zone Resolution, and, therefore, is entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted* under Section 21, to permit a variance of the Zone Resolution and the construction of a gasoline service station, arranged substantially as indicated on the plans filed, marked "Received January 18, 1934," on condition that the plot for its entire area shall be leveled substantially to the grade of Union Turnpike and Parsons Boulevard; that there shall be erected on the interior lot lines, a substantial woven wire fence not less than 6 ft. in height; that the accessory

buildings shall be constructed, as indicated, approximately in the middle of the plot and shall be of a design arranged substantially as indicated on the plans, marked "Received January 18, 1934," not over one-story in height, constructed of incombustible materials, except that the roof rafters and roof boarding and doors and window frames may be of wood provided the ceilings throughout are fire-retarded in accordance with the Rules of the Board of Standards and Appeals and the roofs covered with variegated slate or heavy asbestos shingles; that there shall be no open excavation under these buildings except pits for the greasing racks; that these racks shall be housed in a one-story building of similar construction to the accessory buildings with the fronts left open; that the balance of the plot, where not covered by accessory buildings shall be surfaced with cracked blue stone or cement paving; that gasoline pumps erected on the premises shall be not nearer than 10 ft. to any street building line or any part of an accessory building; that there shall be erected on Union Turnpike and Parsons Boulevard a concrete curbing not less than 12 inches in width and 12 inches in height, with not over 4 openings therein, 2 to Union Turnpike and 2 to Parsons Boulevard, these openings not to exceed 30 feet in width each; that when street curbs are installed the opening in the curbs opposite these openings in the building line curbing shall not exceed 35 ft. in width each; that no part of any opening shall be nearer than 10 ft. to the interior lot lines or to the corner formed by the intersection of Parsons Boulevard and Union Turnpike; that there shall be no automobile repairing carried on in the premises and no storing or parking of cars, other than those being serviced; that any signs advertising non-conforming use shall be limited to the illuminated globes of the pumps and to a permanent flat sign attached to the front of the accessory building, excluding all signs of a temporary nature; that all permits shall be obtained within 6 months and all work completed within 1 year from the date of this action.

Adjourned 4:15 p. m.

EDWARD V. BARTON, *Chief Clerk*.

MINUTES

*CORRECTION

The minutes of the meeting of the board of standards and appeals of January 3, 1934, as they appeared in Bulletin No. 2, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(332-32-BZ)

WHEREAS, the application affecting premises No. 3276, Jerome avenue, southeast corner Grand concourse (Block No. 3323, Lot Nos. 55, 64, 82), Borough of The Bronx, was granted by the board November 21, 1933, on certain

* Correction—Year 33 changed to 32 in Calendar number.

conditions, and applicant requested an amendment of the resolution and an approval of the plans submitted.

Resolved, that the resolution adopted November 21, 1933, be amended and the plans approved, permitting the roofs of the buildings to be constructed of wood beams and wood roofing, on condition that the partitions subdividing the stores shall in all cases be carried up to the underneath side of the roof boards; that all ceilings shall be fire-retarded in accordance with the rules of the board of standards and appeals and that the roofs shall be surfaced with roofing of incombustible materials; and that the resolution adopted by the board on November 21, 1933, shall be complied with in all other respects.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"- "Fire-line" Rules.

Administrative Applications.

737-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue, Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

814-27-SA—Elkhart Flush Type Siamese, approval of.

213-28-SA—Ford Automatic Pressure Regulating Valve, approval of.

42-29-SA—Safe-Way Outlet Pressure Reducing Valve, approval of.

210-29-SA—A Diamond "S" 250 lbs. 2½-inch Angle Globe Water Hose Valve, approval of.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A", approval of.

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line, approval of.

32-31-SA—Ray-Dio Sunshine Oil Burner, approval of.

250-31-SA—Lunkenheimer 2½-inch, Figure No. 8610, Bronze Angle Hose Valve, 150 Pounds Water Working Pressure, approval of.

251-31-SA—Lunkenheimer 2½-inch, Figure No. 8613, Bronze Angle Hose Valve, 250 Pounds Water Working Pressure, approval of.

379-31-SA—The Lenahan Gas & Steam Coil for Garage Use, approval of.

534-31-SA—Page Fuel Burner, approval of.

125-32-SA—Beacon Oil Burner, approval of.

209-32-SA—Croker 4-inch Siamese, approval of.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida, approval of.

286-32-SA—Hubbard Silent Electric Oil Burner, approval of.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner, approval of.

501-32-SA—Diard Oil Burner, approval of.

528-32-SA—Weldon Extinguisher, approval of.

561-32-SA—Wills Fuel Oil Burner, approval of.

592-32-SA—The Ameroil Range Burners, approval of.

615-32-SA—Metro Oil Burner, approval of.

23-33-SA—Sunrex Range Oil Burner, approval of.

39-33-SA—Cutler-Hammer, Inc., Enclosed High and Low Water Float Switch for Standpipe Alarm Systems (Bulletin No. 10041), approval of.

62-33-SA—Florence Oil Heater, Model KC-8, approval of.

82-33-SA—Inferno Oil Burner, approval of.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns, approval of.

100-33-SA—Blaw-Knox (Madsen) Fuel Oil Pump, approval of.

101-33-SA—Blaw-Knox (Madsen) Fuel Oil Burner, approval of.

126-33-SA—Tower Range Oil Burner, approval of.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve, approval of.

164-33-SA—Firemaster Fire Extinguisher, approval of.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner), approval of.

193-33-SA—Nemes-Gluck Oil Burner, approval of.

195-33-SA—Bullet Automatic Oil Burners, Models A and B, approval of.

204-33-SA—Mohawk Oil Burner, approval of.

218-33-SA—Presto Gas Pressing Machine Burner No. 10, approval of.

222-33-SA—Dowie Combination Anti-Syphon Valve, approval of.

231-33-SA—Signal Engineering & Manufacturing Co. Interior Fire Alarm Box, approval of.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe, approval of.

244-33-SA—Petro Oil Burner, Model W-2, approval of.

245-33-SA—Petro Oil Burner, Models W-1 and W-1½, approval of.

271-33-SA—Perfect-Pantex Oil Burner, approval of.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters, approval of.

349-33-SA—Herco Oil Burner, approval of.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1, approval of.

369-33-SA—S-K, Model F, Oil Burner, approval of.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady.....	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	4
Cases filed up to January 31, 1934.....	26	Dismissed	2
Restored to Calendar.....	10	Denied	6
		Granted	0
		Granted on condition.....	18
		Appliances approved	4
		Appliances dismissed, disapproved or withdrawn....	4
		Rules approved	0
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Requests to amend.....	11	Requests to reopen denied.....	2
Requests for modification.....	0	Requests to amend granted.....	11
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	4	Requests for modification granted.....	0
Requests for extension of permit.....	1	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	2	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	4
Requests for interpretation.....	0	Requests for extension of time denied.....	0
		Requests for extension of permit granted.....	1
		Requests for extension of permit denied.....	0
		Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	2
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	0
		Requests withdrawn or dismissed.....	0
Total	293	Total.....	83
Disposed of	83		
Cases pending January 31, 1934.....	210		

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

JAMES P. HOLLAND

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, February 6, 1934, at 10 A. M.

Minutes of Regular Meeting, February 6, 1934, at 2 P. M.

Approved Fuel Oil Pumps.

Rules for Refrigerating Systems.

Rules for Testing Wood.

Reserve Calendar.

Approved Fireline Hose Valves.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Tuesday, February 13, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, February 19, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to February 7, 1934.

Cal. No.	Department.	Premises Affected.
31-34-A.....	D.B.M....	395-401 4th ave. (Block 883, Lot 88), Manhattan.
30-34-BZ.....	D.B.Q....	North side Nassau blvd., 255' west of Kissena blvd. (Block 2170, Lot 39), Flushing, Q. N. B. 1615-33
29-34-BZ.....	D.B.Q....	N. E. Cor. 56th ave. & Corona ave. (Block 2011, Lots 33 & 34), Corona, Q. N. B. 2533-33
28-34-BZ.....	D.B.Bx...	2227-2229 Boston rd. (Block 4339, Lots 28 & 29), Bronx. Alt. 26-34
27-34-BZ.....	D.B.Q....	57-05 to 57-15 Mazeau st. (Block 2808, Lot 79), Maspeth, Q. N. B. 1153-33

Restored to Calendar.

607-31-BZ.....	D.B.Q....	N. E. Cor. of 239th st. & Rocky Hill rd. (Block 3837, Lot 1), Bellrose, Q. Decision.
399-30-BZ.....	D.B.B....	S. E. Cor. 86th st. & W. 8th st. (Block 7143, Lot 88), Brooklyn. Applic. 6857-30
872-28-BZ.....	D.B.Bx...	2311 Grand Concourse, N. W. Cor. E. 183d st. (Block 3164, Lot 31), Bronx. Alt. 597-33

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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Concrete Rules (Hydrated Lime).....	Jan. 9, 1934—Vol. 19 No. 2
Elevator Rules.....	Dec. 12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
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CALL OF CLERK'S CALENDAR

TUESDAY, FEBRUARY 13, 1934, AT 2 P. M.

Building Zone Cases.

77-33-BZ.

APPLICANT—Anthony P. Sorice, Jr., for Vincent J. Repaci, owner.

PREMISES—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

198-33-BZ.

APPLICANT—John J. Hegarty, for Port of New York Authority, owner.

PREMISES—West side of Haven avenue, 217'4½" north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar January 3, 1934).

315-33-BZ.

APPLICANT—William J. Russell, for Russand Realty Co., owner.

PREMISES—Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to the Calendar January 16, 1934).

368-33-BZ.

APPLICANT—Archie H. Samuels, for Sonsam Corporation, owner.

PREMISES—Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

323-33-BZ.

APPLICANT—G. A. Schonewald, for Elgeo Realty Corp., owner.

PREMISES—Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to Calendar January 30, 1934).

FEBRUARY 14, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, February 14, 1934, at 10 o'clock, in Room 1013, Municipal Building on the following matters:*

CALENDAR

CAL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

CAL. NO. 330-33-BZ—Application, October 24, 1933, under section 21 of the building zone resolution, of Charles M. Lobejager, applicant, on behalf of Harry Sheer, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.

CAL. NO. 332-33-BZ—Application, October 25, 1933, under section 21 of the building zone resolution of Charles A. Carey, applicant and lessee, on behalf of Whitnoyl Corp., owner, to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

CAL. NO. 68-33-BZ—Application, February 20, 1933, withdrawn June 13, 1933; reopened and restored to Calendar September 19, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of M. C. R. Holding Corp., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

CAL. NO. 313-33-BZ—Application, September 29, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Isaac Klapper, owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

CAL. NO. 205-29-BZ—Application, March 27, 1929; gasoline service station granted for a temporary period of two (2) years on July 26, 1929; extension of temporary permit granted July 14, 1931; further extension granted July 14, 1933; reopened September 19, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Whitestone Service Station, Inc., present owner, to permit, partly in a residence district and partly in a business district, the permanent maintenance of a gasoline service station; premises 157-

30 Willets Point boulevard (Block No. 619, Lot No. 15), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 14, 1934, 2 P. M.

Appeal from Administrative Order.

363-33-A—492-518 Kingsland avenue, East side, 237' north of Greenpoint avenue (Block No. 2517, Lot No. 14), Brooklyn.

Appliances Submitted for Approval.

1-34-SA—Hager Silent Check Valve, approval of.
10-34-SA—Hupp Oil Burner, approval of.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, February 14, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 337-33-BZ—Application, November 8, 1933, under sections 7f and 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of City Bank Farmers Trust Co., as trustee of Estate of William Waldorf Astor, to permit in a business district the maintenance of a parking space for more than five (5) motor vehicles; premises East Side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), The Bronx.

CAL. NO. 334-33-BZ—Application, October 27, 1933, under section 21 of the building zone resolution, of Charles Lobejager, applicant, on behalf of Harry Sheer, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

CAL. NO. 318-33-BZ—Application, October 11, 1933, under sections 7e, 7g and 21 of the building zone resolution, of Jerome F. Healy, Jr., applicant, on behalf of Benedicta Vetter, owner, to permit in a business district the conversion of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 2259-2261 Washington avenue, west side, 101 ft. north of East 182nd street (Block No. 3038, Lot No. 35), The Bronx.

CAL. NO. 240-33-BZ—Application, June 29, 1933, under section 21 of the building zone resolution, of Irving Proskauer, applicant, on behalf of John J. Halleran, owner, to permit in a business district the erection and maintenance of a gasoline service station (December 5, 1933, placed on Reserve Calendar pending full vote of board; restored to Calendar January 30, 1934) premises southeast corner of Nassau boulevard and 250th street (Block No. 4080, part of Lot No. 250), Little Neck, Borough of Queens.

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CAL. NO. 199-33-BZ—Application, June 1, 1933, under section 21 of the building zone resolution, of Lama & Proskauer, applicants, on behalf of William H. Parry, owner, to permit in a business district the erection and maintenance of a gasoline service station (December 5, 1933, placed on Reserve Calendar pending full vote of board; restored to Calendar January 30, 1934) premises northeast corner of 250th street and Nassau boulevard (Block No. 4084, part of Lot No. 200), Little Neck, Borough of Queens.
HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, FEBRUARY 19, 1934, AT 2 P. M.

Building Zone Cases.

20-28-BZ.

APPLICANT—Philip Freshman, for Markus Siegelman, owner.
PREMISES—99-105 Prospect Park Southwest, northwest corner of 16th street (Block No. 5259, Lot No. 22), Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence district the change of occupancy of an existing building to business use (store); (previously denied; reopened November 21, 1933).

457-30-BZ.

APPLICANT—Frank Caraccia, owner.
PREMISES—Southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Richmond.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar September 12, 1933).

381-33-BZ.

APPLICANT—Chas. M. Lobejager, for George Robbin, owner.
PREMISES—North side of Roosevelt avenue, 466' west of 103d street (Block No. 1770, Lot Nos. 60-62-64-65), Corona, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

389-33-BZ.

APPLICANT—Stewart Willey, for Marcelle S. Flint, owner.
PREMISES—115-117 Manhattan avenue, west side, 50' north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the change of occupancy of an existing building to a factory building.

362-33-BZ.

APPLICANT—John E. Sexton, for Rose Held, owner.
PREMISES—195 Graham avenue and 149-155 Scholes street, northwest corner (Block No. 3034, Lot No. 27), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

97-30-BZ.

APPLICANT—Chas. Tolleris, for 5612—18th Avenue Holding Corp., owner.
PREMISES—5612-5614—18th avenue (Block No. 5493, Lot No. 40), Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the installation of a gasoline service station (previously granted April 22, 1930, for a motor vehicle repair shop; reopened September 19, 1933); (previously granted February 3, 1925, under Cal. No. 1266-24-BZ, for milk distributing station).

356-33-BZ

APPLICANT—Jack Fein, for Enmor Realty Corporation, owner.
PREMISES—Northwest corner of Avenue V, and Ocean avenue (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.
APPLICATION, under sections 7c and 21 of the building zone resolution,
TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of a business building (stores).

FEBRUARY 20, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 20, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 451-32-BZ—Application, August 16, 1932; denied January 13, 1933; reopening for reconsideration for a reduced plot and for a temporary period denied June 9, 1933; remitted to the Board by order of Court, January 5, 1934; application of William I. Alpert, on behalf of Church & 94th Street Corp., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station for a temporary period on a smaller plot; premises 9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Brooklyn.

CAL. NO. 317-33-BZ—Application, October 11, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Dickel Construction Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 308-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Jacob E. Hurwitz, applicant, on behalf of Alice Fadool, owner, to per-

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mit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use; premises 195 Prospect Park, West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

CAL. NO. 339-33-BZ—Application, November 10, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Otnas Realty, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

CAL. NO. 374-33-BZ—Application, December 7, 1933, under section 21 of the building zone resolution, of John H. Scheier, applicant, on behalf of Manufacturers Trust Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2400-2412 Flatbush avenue, northwest corner of Avenue T (Block No. 8528, Lot Nos. 1 and 72), Brooklyn.

CAL. NO. 116-33-BZ—Application, March 27, 1933; denied June 27, 1933; request for reopening withdrawn July 18, 1933; reopened January 26, 1934, for reconsideration under new facts, under sections 7e and 21 of the building zone resolution, of Arthur F. Lamanda, applicant, on behalf of Katherine Alberti, owner, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ; premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY, 20, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, February 20, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters:*

CAL. NO. 321-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of Hyman and Segall, applicants, on behalf of Pennbrook Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Oak avenue and Jamaica avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens.

CAL. NO. 331-33-BZ—Application, October 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of Litvin Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline

service station; premises 1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Brooklyn.

CAL. NO. 273-33-BZ—Application, August 15, 1933, under section 21 of the building zone resolution, of Goldwater & Flynn and Samuel Rosenblum, applicants, on behalf of R. V. W. Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), The Bronx.

CAL. NO. 242-33-BZ—Application, June 30, 1933, under section 21 of the building zone resolution, of Edward V. McKeown, applicant, on behalf of 1351 Boscobel Avenue Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

CAL. NO. 344-33-BZ—Application, November 10, 1933, under sections 7a, 7c and 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Parkville Amusement Corp., owner, to permit in a residence district the erection and maintenance of a recreation centre; premises 1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

CAL. NO. 872-28-BZ—Application, November 14, 1928, under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building (stores); granted on certain conditions, April 2, 1929; application of Eugene De Rosa, Inc., on behalf of John A. McCarthy, owner, reopened February 6, 1934, under section 21 of the building zone resolution, to permit the alteration and reconstruction of a portion of these stores into a motion picture theatre; premises 2311 Grand Concourse, northwest corner of East 183d street (Block No. 3164, Lot No. 31), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, FEBRUARY 26, 1934, AT 2 P. M.

Building Zone Cases.

354-33-BZ.

APPLICANT—Joseph B. Schwartz, for Edlar Realty Corp., owner.

PREMISES—Northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

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380-33-BZ

APPLICANT—Joseph B. Schwartz, for Frank Teltsch, owner.

PREMISES—475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

376-33-BZ.

APPLICANT—Clifford F. Hart, for Benjamin G. Hitchings Lumber Corp., owner.

PREMISES—3202-3204 Avenue H, south side, Avenue H from East 32d street to New York avenue (Block No. 7578, Lot Nos. 53 and 57), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop.

373-33-BZ.

APPLICANT—Henry J. Nurick, for Michael Salit, owner.

PREMISES—176-192 Kings highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

357-33-BZ.

APPLICANT—DeRose and Cavalieri, for Ida M. Hewitt, owner.

PREMISES—3349-3357 East Tremont avenue, east side, 75' south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station.

378-33-BZ.

APPLICANT—Rubenstein and Rosling, for Kings Brewery, Inc., owner.

PREMISES—225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of an existing building to a business use (office building).

386-33-BZ.

APPLICANT—Marcus L. Bermann, for Ralph Horton, owner.

PREMISES—Northeast corner of Eastern boulevard and Soundview avenue, thru to Croes avenue (Block No. 3722, Lot No. 18), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

161-33-BZ.

APPLICANT—Frank B. Reardon, for Theodore G. Zeh, owner.

PREMISES—170-07—115th avenue' (Block No. 3087, Lot No. 350), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy in part of an existing residence building to a business use (previously denied for a funeral parlor; reopened September 26, 1933).

284-32-BZ.

APPLICANT—Arthur H. Haaren, for Rock Jay Realty Co., Inc., owner.

PREMISES—West side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously denied under Section 7f; reopened under section 21 December 27, 1933).

FEBRUARY 27, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 27, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 335-33-BZ—Application, October 30, 1933, under section 21 of the building zone resolution, of Wood and Marshall, applicants, on behalf of Marshall Contracting Co., Inc., owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 5563-5573 Kings highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 and 9), Brooklyn.

CAL. NO. 366-33-BZ—Application, December 4, 1933, under section 7b of the building zone resolution, of Thomas D. Conroy, applicant, on behalf of Marie Whitelurst Conroy, owner, to permit partly in a business district and partly in a residence district, the alteration and change of occupancy of part of an existing building from dwelling to business use; premises 71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, February 27, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters:*

CAL. NO. 320-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of John A. Cosgrove, applicant, on behalf of Gottel Radish, owner, to permit in a business district the erection and maintenance of a gasoline

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service station; premises 4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Borough of Richmond.

L. NO. 399-30-BZ—Application, June 18, 1930; denied November 25, 1930; reopened March 17, 1931, under section 21 of the building zone resolution, of William Richter, applicant, on behalf of Sadie Hartwig, owner, to permit in a business district

the erection and maintenance of a gasoline service station; granted on certain conditions, April 21, 1931; reopened February 6, 1934, for an amendment to the resolution to permit the inclusion of a three (3) car garage; premises 2808-2818 86th street and 2279-2285 West 8th street, southeast corner (Block No. 7143, Lot No. 88), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING.

TUESDAY MORNING, FEBRUARY 6, 1934.

Present: Chairman Murdock, Commissioners Holland, McPeck, Savage and Assistant Chief Kidney.

The minutes of the Special meeting of the board, held on Friday morning, January 26, 1934; the minutes of the regular meeting of the board held on Tuesday morning, January 30, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, January 30, 1934, were approved as printed in Bulletin No. 6, Vol. XIX.

BUILDING ZONE CASES.

76-33-BZ.

APPLICANT—James P. Boyland, for William Jay Building Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing apartment house from dwelling to business use.

PREMISES AFFECTED—Northeast corner of Grand Concourse and East 203d street (Block No. 3309, Lot No. 42), The Bronx.

APPEARANCES—

For Applicant: Oliver E. Davis.

For Opposition: Thomas K. Saltzman.

ACTION OF BOARD—Application placed on Reserve Calendar, pending action of Board of Estimate and Apportionment on rezoning of Grand Concourse.

320-33-BZ.

APPLICANT—John A. Cosgrove, for Gottel Radish, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Richmond.

APPEARANCES—

For Applicant: John A. Cosgrove, Mr. Radish.

For Opposition: Jacob Stein, Martin G. Langeman, Daniel Harnett, Ludwig L. Scaserra.

ACTION OF BOARD—Laid over to February 27, 1934, at 2 p. m., for report of committee on inspection without further argument.

321-33-BZ.

APPLICANT—Hyman and Segall, for Pennbrook Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Oak avenue and Jamaica avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

For Opposition: Francis Finkelhor, Albert Haldenwang.

ACTION OF BOARD—Laid over to February 20, 1934, at 2 p. m., for report of committee on inspection without further argument.

331-33-BZ.

APPLICANT—Emil Guterman, for Litvin Holding Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and Lot No. 48), Brooklyn.

APPEARANCES—

For Applicant: Emil Guterman.

For Opposition: Philip F. Rosenberg, H. Siegel, Harry Albert, Max Uvillen, John H. Borie, Benjamin Langsam, Alexander J. Marrow.

ACTION OF BOARD—Laid over to February 20, 1934, at 2 p. m., for report of committee on inspection without further argument.

273-33-BZ.

APPLICANT—Goldwater & Flynn and Samuel Rosenblum, for R. V. W. Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: J. E. Whalen, Thomas Dwyer, W. D. Whalen.

ACTION OF BOARD—Laid over to February 20, 1934, at 2 p. m., for report of committee on inspection without further argument.

242-33-BZ.

APPLICANT—Edward V. McKeown, for 1351 Boscobel Avenue Corp., owner.

MINUTES

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

APPEARANCES—

For Applicant: Edward V. McKeown.

For Opposition: J. E. Whalen, Fred J. Rullman.

ACTION OF BOARD—Laid over to February 20, 1934, at 2 p. m., for report of committee on inspection without further argument.

3-31-BZ.

APPLICANT—W. Bryce Rea, owner.

SUBJECT—Request for reopening—modification—re Application (decision of the superintendent of buildings), under section of the building zone resolution, to permit in a business district the maintenance of a gasoline service station and also a motor vehicle repair shop.

PREMISES AFFECTED—250-21 Northern boulevard, north side, 151 ft. east of 250th street (Block No. 3984, Lot No. 89), Little Neck, Queens.

APPEARANCES—

For Applicant: W. Bryce Rea.

ACTION OF BOARD—Request to reopen, withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Negative	0
Absent	0

872-28-BZ.

APPLICANT—Philip J. Sinnott, for John A. McCarthy, owner; request for reopening made by Eugene De Rosa, Inc., architects.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—2311 Grand concourse, northwest corner of East 183d street (Block No. 3164, Lot No. 31), The Bronx.

APPEARANCES—

For Applicant: Eugene De Rosa, James F. Brennan.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing on February 20, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Negative	0
Absent	0

399-30-BZ.

APPLICANT—William Richter, for Sadie Hartwig, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2808-2818 86th street and 2279-2285 West 8th street, southeast corner (Block No. 7143, Lot No. 88), Brooklyn.

APPEARANCES—

For Applicant: William Richter.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing on February 27, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney

Negative

Absent

607-31-BZ.

APPLICANT—Michaelson & Bernknopf, for Ben S. Michaelson, owner; request for reopening made by Archie H. Samuels, attorney.

SUBJECT—Application for reopening—restoration to calendar, having been previously withdrawn—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of 239th street and Rocky Hill road (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Application reopened, to be set for calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney

Negative

Absent

266-33-BZ.

APPLICANT—William Koppe, for Hollender Holding Corp., owner.

SUBJECT—Application for restoration to Calendar, previously placed on Reserve Calendar, pending full vote of board—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Sound View avenue and St. Lawrence avenue (Block No. 3596, Lot No. 1), The Bronx.

APPEARANCES—

For Applicant: John Kadel.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(266-33-BZ)

WHEREAS, William Koppe, for Hollender Holding Corp., owner, filed, August 8, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Northwest corner of Sound View avenue and St. Lawrence avenue (Block No. 3596, Lot No. 1), The Bronx; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 6, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sound View avenue is in a business district, Commonwealth avenue is in a residence and business district, St. Lawrence avenue is in a residence

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d business district, Lafayette avenue is in a residence
d business district; and

WHEREAS, the decision of the commissioner of buildings,
ndered July 31, 1933, re Applic. N.B. 311-1933, reads:

"1. Erection of buildings and occupancy of prem-
ises in business district for gasoline service station is
contrary to provisions of Building Zone Resolution."

d
WHEREAS, the premises consist of an irregular shaped
lot of ground having a frontage of 170 ft. on St. Lawrence
venue and 145 ft. on Sound View avenue—upon which it
proposed to erect a one-story structure approximately
ft. by 45 ft. to be used as office and crank case service
d also to install the necessary tanks and pumps for a
soline service station; and

WHEREAS, these premises were the subject of inspections
a committee of the board, reports of which inspections
ere read at the hearing and which reports were sub-
ribed to by the present members of the board, and which
ports follow:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 266-33-BZ.

Premises: Northwest corner of Sound View avenue
and St. Lawrence avenue (Block No. 3596, Lot No. 1),
The Bronx.

This is an application for variation of the Building
Zone Resolution, to permit a gasoline service station
on a triangular plot located at the intersection of
Sound View avenue and St. Lawrence avenue, The
Bronx. The plot is a portion of a larger triangular
plot, which will be formed when Lafayette avenue is
carried through easterly from Sound View avenue.
At the present time this Lafayette avenue is not opened
nor is the northerly extension of St. Lawrence avenue
opened. St. Lawrence avenue at the easterly side of
the property is opened for traffic but is not graded
and is about six feet or more above the general level
of Sound View avenue. On the easterly side of St.
Lawrence avenue there are nine single family houses,
which are the only ones which could be adversely
affected by the proposed gasoline service station. The
remaining property is vacant except for seven store
buildings, which are located on the westerly side of
Commonwealth avenue at the corner of Lafayette
avenue.

There have been no consents filed with this appli-
cation and no objections, except a general letter from
a local civic association.

In the opinion of the Committee, sufficient hardship
has been shown to justify this variance being granted
and the committee recommends this action, subject to
such conditions as the Board sees fit to impose, which
should include the general leveling of the plot sub-
stantially to the grade of Sound View avenue; the
construction of a brick wall along the St. Lawrence
avenue side, high enough to protect the houses oppo-
site and to include such other conditions as the Board
sees fit to impose.

The committee, which inspected this property on
December 21, 1933, is of the opinion that this station
will prove no detriment to the surrounding section.

The plans filed with this application indicate a lay-
out with openings to St. Lawrence avenue. This, the
committee believes, should not be permitted, and inas-
much as it will require a complete rearrangement of
the plan, recommends that plans be submitted to the
Board for approval by the Chairman in behalf of the
Board, and that the plot be properly landscaped where
not occupied by office buildings and driveways.

(Signed) H. H. MURDOCK,

Chairman.

JAMES P. HOLLAND,

JOHN GUILFOYLE,

Committee of Inspection.

Subscribed to by VINCENT C. PEPPE and
BERNARD A. SAVAGE.

February 6, 1934.

SUPPLEMENTAL REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 266-33-BZ.

Premises: Northwest corner Sound View avenue and
St. Lawrence avenue (Block 3596, Lot No. 1), The
Bronx.

This is supplementing a report of inspection made
December 21, 1933, by a Committee of the Board.

In view of additional objections presented verbally
at the hearing December 27, 1933, mainly from prop-
erty owners on St. Lawrence avenue who claimed that
they had not been notified although records were pro-
duced by the applicant that notifications had been duly
mailed, a Committee of the Board reinspected the
property on January 4, 1934.

The Committee believes that hardships has been
shown and that, with conditions imposed as recom-
mended, the nearby property owners will not be seri-
ously affected. The premises under appeal do not
present an attractive appearance now and, in the
opinion of the Committee, a well ordered gasoline
selling station will prove a betterment.

The previous report of inspection made December
21, 1933, is reaffirmed.

(Signed) H. H. MURDOCK,

Chairman.

HENRY L. CONNELL, Dissenting,

JAMES P. HOLLAND,

Committee of Inspection.

Subscribed to by VINCENT C. PEPPE and
BERNARD A. SAVAGE.

February 6, 1934.

and

WHEREAS, the board deems that the applicant is entitled
to relief under section 21 of the building zone resolution.

Resolved, that the board of standards and appeals does
hereby *make a variation* in the application of the use
district regulations of the building zone resolution and
that the application be and it hereby is *granted on con-*
dition that the entire area shall be excavated and graded
substantially to the level of Sound View avenue; that
there shall be erected on the line of St. Lawrence avenue
a masonry wall faced with face brick both inside and out-
side and extending for at least 5 feet above the general
grade of St. Lawrence avenue; that a similar wall shall
be constructed on the interior lot line to the north not less
than eight feet in height above the grade of Sound View
avenue; that this wall on the interior lot line may be
racked back from Sound View avenue at the rate of one
foot in four, starting with a height of four feet; that the
accessory buildings, consisting of an office and greasing
sections as indicated on plans filed with this appeal, shall
be erected toward the northwesterly end of this plot; that
the rear walls of these buildings may be incorporated in
the lot line walls; that these buildings shall not exceed
one story in height and shall be constructed of incombus-
tible materials except that the roof beams and roof board-
ing and windows and doors may be of wood, provided the
ceilings throughout are fire-retarded in accordance with
the rules of the board of standards and appeals and the
roofs are surfaced with an incombustible weather surfacing;
that there shall be no windows in these accessory buildings
facing St. Lawrence avenue; that the balance of the plot
where not covered by accessory buildings and walls shall
be either cement-paved or covered with cracked bluestone;
that there shall be erected along the building line on Sound
View avenue a concrete curb not less than 12 inches in
width and 12 inches in height; with not over three open-
ings therein, each opening not to exceed 25 feet in width
and no part of any opening nearer than 15 feet to the
corner formed by the intersection of St. Lawrence avenue
and Sound View avenue or nearer than 5 feet to the in-
terior lot line to the north with cuts in the street curb
opposite these openings, each not greater than 30 feet in
width (when said street is curbed), that a space at the
intersection of Sound View avenue and St. Lawrence

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avenue extending northerly therefrom not less than 15 feet shall be kept attractively landscaped; that gasoline pumps installed shall be not nearer than 10 feet to any street line or any part of an accessory building; that there shall be no open excavation under the accessory buildings excepting the pits for the greasing racks; that there shall be no portable gasoline tanks used on or from the property; that signs advertising non-conforming uses shall be confined to illuminated globes of the gasoline pumps and to flat signs permanently placed against the fronts of the accessory buildings or against the interior faces of the lot line walls, excluding all signs on the exterior of the walls northerly or easterly and all signs of a temporary nature; that there shall be no automobile repairing carried on in the premises, no open flames permitted, and no cars stored or parked other than those being serviced; that lights for general illumination shall be placed on standards with metallic reflectors so arranged as to shine downwardly to avoid nuisance to the adjoining property owners; that plans prior to being filed with the commissioner of buildings shall be filed with this board for approval by the chairman in behalf of the board; that all permits required shall be obtained within six months and all work completed within one year from the date of this action.

665-28-BZ.

APPLICANT—Request for reopening made by George H. Hochschwender, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building for store occupancy.

PREMISES AFFECTED—2022-2034 Bedford avenue and 99-103 Clarkson avenue, northwest corner (Block No. 5055, Lot No. 59), Brooklyn.

APPEARANCES—

For Applicant: Harry W. Berg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(665-28-BZ)

WHEREAS, this application affecting premises 2022-2034 Bedford avenue and 99-103 Clarkson avenue, northwest corner (Block No. 5055, Lot No. 59), Borough of Brooklyn, was granted by the board December 18, 1928, or certain conditions reopened and the resolution amended July 26, 1929, reopened, and the resolution again amended December 23, 1930; and

WHEREAS, this resolution of December 23, 1930, was rescinded January 27, 1931, by vote of the board, and owner, through his agent, now requests an amendment of the resolution of July 26, 1929, which resolution is now in force.

Resolved, that the resolution adopted by the board on July 26, 1929, so far as it has to do with the restriction as to the use and occupancy of the building and as to display advertising be amended, so that as amended these portions of the resolution will read:

"That the use and occupancy shall be restricted to retail mercantile shops or store use; that no store shall be used for delicatessen shop, meat market or fish market or for general restaurant, but nothing in this resolution shall interfere with a duly licensed pharmacy or apothecary maintaining a luncheon counter in connection therewith; that there shall be no advertising of any nature or description displayed on the Clarkson avenue frontage; that any advertising or signs displayed on the Bedford avenue frontage shall be restricted to flat signs attached to the face of the building below the cornice line and to signs on the plate glass show windows or on the glass of the doors or transoms, excluding all signs on the roof and all signs extending beyond the building line; and that other than as amended herein, the resolution shall be complied with in all respects."

Adjourned, 3.30 p. m.

EDWARD V. BARTON, Chief Clerk

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, FEBRUARY 6, 1934.

Present: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney.

BUILDING ZONE CASES.

344-33-BZ.

APPLICANT—Samuel Rosenblum, for Parkville Amusement Corp., owner.

SUBJECT—Application (re: decision of the commissioner of buildings) under sections 7 (a), 7 (c) and 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a recreation centre.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum, Andrew Viola

For Opposition: M. Kreindler, Henry Hoafing

Victor Amess, Frank Smollan, and others.

ACTION OF BOARD—Laid over to February 20, 1934 at 2 p. m., for report of committee on inspection without further argument.

137-33-BZ.

APPLICANT—Joseph A. Marck, for Jeffem Realty Co. owner.

SUBJECT—Application (re decision of the Supt. of Bldgs.) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Reeves avenue and Kissena boulevard (Block No. 2168 Lot Nos. 1 and 9), Flushing, Queens.

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APPEARANCES—

For Applicant—Joseph A. Marck.

For Opposition—None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(137-33-BZ)

WHEREAS, Joseph A. Marck, for Jeffem Realty Co., owner, filed, April 12, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Southwest corner of Reeves avenue and Kissena boulevard (Block No. 2168, Lot Nos. 1 and 9), Flushing, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 6, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Horace Harding boulevard is in a business district, Kissena boulevard is in a business district, 154th place is in a residence district, 155th street is in a residence district and Reeves avenue is in a business district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered April 7, 1933 re: Plan No. 2991-32, reads:

"1. The erection of a Gas Station in a business district is contrary to Art. 2, Sec. 4 of the Zoning Law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 321 feet on Reeves avenue and 110 feet on Kissena boulevard, upon which it is proposed to erect a one-story office 15 feet by 20 feet, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises were the subject of an inspection by a committee of the board, report of which inspection was read at the hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 137-33-BZ.

Premises: S. W. cor. Reeves avenue & Kissena boulevard (Block No. 2168, Lots 1 & 9) Flushing, Queens.

This is an application for a zoning variance to permit a gasoline service station on a triangular plot of ground, located in a business use district, at the southwest corner of Kissena boulevard and Reeves avenue, Borough of Queens, known as Block 2168, Lots No. 1 and 9. The property is now vacant and Reeves avenue has not yet been opened.

The property is about 100 feet southerly from the intersection of Kissena boulevard and Horace Harding boulevard. The site under appeal joins the property of the New York Parental Home, a corrective institution under the jurisdiction of the Board of Education, where there is a school duly organized and giving regular instructions, according to the testimony given at the hearing by a representative of the Board of Education. This school varies from the usual public school in that the school is located on a large plot of ground and that the inmates are housed on the property. The entrances to the school property are from Kissena boulevard, and there are no intersecting streets on the westerly side of Kissena boulevard for a distance of nearly 2,000 feet.

In view of these conditions the committee of inspection is of the opinion that the Board is prohibited under Section 21, from permitting a gasoline service station to be erected, inasmuch as the site is on a street between two intersecting streets, in which there

exists an exit from or entrance to a public school. While this appears to be a technical application of this law, the situation here is unusual and undoubtedly was not the sort of condition that the Board of Estimate had in mind when the prohibition under Section 21 was enacted May 22, 1925, nevertheless, it is the opinion of the committee that the Board is without power to grant the variance.

There are at this intersection two existing gasoline service stations. One directly opposite the property at the intersection of Horace Harding boulevard and Reeves avenue, was granted by the Board under Cal. No. 624-26-BZ, for a period of two years. The present term of the permit expires on November 18, 1934. Another gasoline station exists on the small triangular plot on the easterly side of Kissena boulevard between Horace Harding boulevard and Reeves avenue. This station was in existence prior to 1925, and it was stated at the hearing that the property has been acquired by the City, and that the continuation of this station is accordingly of a temporary nature. Also, across from the property on the northeast corner of Kissena boulevard and Reeves avenue, application under Cal. No. 728-29-BZ was denied by the Board and the Board's decision was sustained by the Court.

In the case under appeal, the committee which inspected the property on February 1, 1934, is of the opinion that owing to the action of the Board in connection with Calendar No. 728-29-BZ, the fact that Reeves avenue is not open, the sufficiency of gasoline stations in the section and the objections raised at the hearing by adjoining property owners, together with the fact that the owner has not proved hardship, that the application should be denied.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT PEPPE,

BERNARD A. SAVAGE,

Committee of Inspection.

and

WHEREAS, the report recommended the denial of the application under Section 21, and the Board deemed that applicant had failed to substantiate his basis of appeal under said section.

Resolved, that the decision of the Commissioner of Buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

279-33-BZ.

APPLICANT—James J. Munro, for Newman Building Co., Inc., owner.

SUBJECT—Application (re decision of Commissioner of Bldgs.) under Section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Baisley boulevard and New York boulevard (Block 3045, part of Lot 29), Jamaica South, Queens.

APPEARANCES—

For Applicant—James J. Munro.

For Opposition—None.

ACTION OF BOARD—Application granted on condition.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage.....	4
Negative: Assistant Chief Kidney	1
Absent	0

THE RESOLUTION—

(279-33-BZ)

WHEREAS, James J. Munro, for Newman Building Co., Inc., owner, filed, August 24, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, part of Lot 29), Jamaica South, Queens; and

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WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 6, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Baisley boulevard is in a business district, New York boulevard is in a business district, 161st place is in a residence district and Long street is in a residence district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered August 18, 1933, re: Plan No. 1449-33, reads:

"The erection of a gasoline station in a business district is contrary to Article 2, section 4, subdivision 46 of the BZR (not further considered)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 72.7 feet on New York boulevard and 76.2 feet on Baisley boulevard—upon which it is proposed to erect a one-story office, 20 feet by 20 feet and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, report of which inspection was read at the hearing; and

WHEREAS, the Board deemed that applicant had shown sufficient hardship to warrant the granting of the application for a temporary period of five years under Section 21.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, permitting the plot under appeal to be used for a gasoline service station for a period of five years from the date of this action, under Section 21, *on condition* that the entire area shall be graded substantially to the grade of Baisley boulevard and New York boulevard; that there shall be erected on the interior lot lines a substantial woven wire fence not less than 6 ft. in height; that the accessory buildings, consisting of a building for office use only, shall be erected toward the center of the plot, as indicated on the plans filed with this application; that this building shall not exceed one-story in height and shall be constructed of incombustible materials except that the roof beams, roof boarding, doors and windows may be of wood; that the roof of the building shall be surfaced with slate, tile or heavy asbestos shingles; that there shall be no open excavation under this building; that the balance of the plot, where not covered by the accessory building shall be either cement paved or covered with cracked blue stone; that gasoline pumps shall be not nearer than 10 ft. to the street line or to any part of the accessory building; that there shall be no portable gasoline tanks used on or from the property; that signs advertising non-conforming use shall be restricted to the illuminated globes of the gasoline pumps and to a flat sign against the accessory building, excluding all other signs and signs of a temporary nature; that there shall be no automobile repairing carried on in the premises and no storing or parking of cars other than those being serviced; that lights for general illumination shall be on standards with metallic reflectors arranged to shine downwardly; that if and when curbs are erected on either street front, openings in the curbs to this gasoline selling station shall be limited to two from each street, each opening not to exceed 25 ft. in width; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

310-33-BZ.

APPLICANT—Rutherford S. Moorhead, for Henry A. Meyer Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1872-1890 Gerritsen avenue, southwest corner of Brown street (Block No. 6838, Lot No. 1), Brooklyn.

APPEARANCES—

For Applicant: Rutherford S. Moorhead.

For Opposition: John Ott and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(310-33-BZ)

WHEREAS, Rutherford S. Moorhead, for Henry A. Meyer Realty Co., Inc., owner, filed, September 25, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: 1872-1890 Gerritsen avenue, southwest corner of Brown street (Block No. 6838, Lot No. 1), Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 6, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Gerritsen avenue is in a business district, Brown street is in a residence and business district and Stuart street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 7, 1933, re: App. No. 9569-1933, reads:

The following objection has been filed by the examiners:

"Proposed gasoline service station to be located in a business zone district is contrary to Art. II, Sec. 4-a, of the Zone Resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground, having a frontage of 167 ft. on Gerritsen avenue, 188 ft. on Brown street and a distance of 108 ft. along the south lot line, upon which it is proposed to erect a one-story office and grease pit structure, 49 ft. by 20 ft., in area, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection and report by a committee of the board, which report was read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Re: Cal. No. 310-33-BZ.

Premises: 1872-1890 Gerritsen avenue, southwest corner Brown street, Brooklyn.

This is an application for a zoning variance to permit a gasoline station to be erected on a triangular plot in a business use district, located at the junction of Gerritsen avenue and Brown street. The property along Gerritsen avenue is zoned for business. The property along Brown street is mainly residential and solidly built up on the westerly side with single family houses, the owners of many of which have appeared in objection. Other objections have been filed by property owners on this block who own vacant land and other property owners on the block east of Gerritsen avenue. The applicants have stated that they have owned the property for only one year, having bought large areas in this section which extends to Marine Park. They have apparently made no effort to improve any of this property and in the opinion of the Committee which inspected this property on January 25, 1933, the district should be permitted to develop as a residential neighborhood with such store

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use as may be necessary for this residential development.

There is a school and church at Avenue S and its representative appeared at the hearing in opposition to the granting of this application. The Marine Manor Property Owners Association and other objectors urged that the appeal should be denied in order to permit the property to be developed as a residential section and to prevent property during this development stage from being depreciated by the presence of a gasoline station.

There are existing gasoline stations northerly at Kings highway and to the south of Avenue U and the Committee was of the opinion that there were sufficient gasoline stations to supply all demands. The only other case which has been before the Board in the immediate vicinity was for a gasoline station on the triangular plot within 300 feet southeasterly of Gerritsen and Batchelder avenues, which was withdrawn by the applicant at the hearing, owing to objection.

Inasmuch as the Committee is of the opinion that hardship has not been proven by the applicant and that great hardship would fall on adjoining property owners whose property has been developed for conforming use, the Committee recommends that the application be denied.

(Signed) H. H. MURDOCK,
Chairman.
JAMES P. HOLLAND,
VINCENT PEPPE,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application under Section 21, and the board deemed that applicant had failed to substantiate his basis of appeal under said section.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

312-33-BZ.

APPLICANT—M. Joseph Harrison, for Joseph Halpert, owner.

SUBJECT—Application (re decision of the Commissioner of Bldgs.) under Section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Merrick boulevard and Linden boulevard (Block No. 3104, part of Lot No. 1), St. Albans, Queens.

APPEARANCES—

For Applicant—M. Joseph Harrison.

For Opposition—None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Holland and Peppe and Savage and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(312-33-BZ)

WHEREAS, M. Joseph Harrison, for Joseph Halpert owner, filed, September 25, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Southeast corner of Merrick boulevard and Linden boulevard (Block No. 3104, part of Lot No. 1), St. Albans, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 6, 1934, after due notice by publication

in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a business district, Merrick boulevard is in a business district and 172d street is in a residence district;

WHEREAS, the decision of the commissioner of buildings, rendered September 6, 1933, re: Plan No. 1815-33, reads:

"1. The creation of a gasoline service station within a business district is contrary to section 4, subdivision a46 of the zone resolution. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 feet on Linden boulevard and 75 feet on Merrick boulevard, upon which it is proposed to erect a one story office, approximately 20 feet by 20 feet irregular in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection and report by a committee of the board, which report was read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Re: Cal. No. 312-33-BZ.

Premises: Southeast corner of Merrick boulevard & Linden boulevard, St. Albans, Queens.

In this application for a variance of the Building Zone Resolution a gasoline station is desired at the corner of Merrick boulevard and Linden boulevard, St. Albans, Borough of Queens. The property under appeal is 75 ft. by 100 ft., located in a business use district and being a portion of an entire block front owned by the applicant. At the present time there is a diner located on this owner's property just south of the portion of the block front under appeal.

It is maintained that there is a sufficiency of stores and that gasoline stations are in existence on the two opposite corners. There is also a gasoline station apparently not being operated on Merrick boulevard to the north of the northwest corner. One of these gasoline stations was in existence prior to 1925 and the other at the northeast corner was granted by the Board under Cal. No. 104-33-BZ. The situation in this latter gasoline station is very different from that of the one under appeal. The one granted is on a corner adjacent to the St. Albans Memorial Park and a conforming business use would have no adjacent residence buildings from which to obtain business. When the Board granted the case it imposed conditions to make the gasoline station attractive and in keeping with the park surroundings and placed the property under the supervision of the Queens Department of Parks for the purpose of assuring that the plot would be properly landscaped and presentable.

There were two prior cases filed for a gasoline station on this block front for a larger area than in the present case, both of which were dismissed for lack of prosecution. Sixteen objections have been filed to this application and no consents.

In the opinion of the Committee, this property should be developed with a conforming use. The existing stores contrary to the testimony at the hearing appear to be well occupied and the property to the south and east is well built-up, which ought to make a conforming business use profitable. In addition to this, in the opinion of the Committee there are sufficient gasoline stations in this neighborhood. In the case of Werner vs. Walsh the Court has held "The duty of regulation presupposes that there will be some limit to the number . . . on one block. The rights of other property owners in this business district must be considered and respected in regard to fire hazards, damages to the market value of the fee and damage to the rental value."

The Committee which inspected these premises on February 1, 1934, does not find that hardship has been

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proven and recommends that the application be *denied*. The Committee noted that one of the objectors on 172d street, adjacent to the property and located in a residence use district, was maintaining a partial business use having a sign on his property, advertising that he was in the tile, marble and slate business.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT PEPPE,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application under Section 21, and the board deemed that applicant had failed to substantiate his basis of appeal under said section.

Resolved, that the decision of the Commissioner of Buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

292-33-BZ.

APPLICANT—Joseph H. Goldstein, for Bonomo Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2729-2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.

APPEARANCES—

For Applicant: Joseph H. Goldstein.

For Opposition: Lili Axinn.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage.....	4
Negative: Assistant Chief Kidney.....	1
Absent	0

THE RESOLUTION—

(292-33-BZ)

WHEREAS, Joseph H. Goldstein, for Bonomo Realty Corp., owner, filed, September 8, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: 2729-2755 Shell road, southeast corner of Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 6, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Shell road is in a business and unrestricted district, West 6th street is in a business district, Canal avenue is in a business, unrestricted and residence district and Rodman street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 26, 1933, re: Applic. No. 9097-1933, reads:

"Application denied. Proposition contrary to Zone Resolution—Art. 4 (a) Sub. div. 46. No building or premises shall be used for gasoline service station in a business district."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 100 ft. on Shell road and 101 ft. on Canal avenue—upon which it is proposed to erect a one-story office, 18 ft. by 20 ft., grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, report of which inspection

was read at the hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 292-33-BZ.

Premises: 2729-2755 Shell road, southeast corner Canal avenue (Block No. 7250, part of Lot No. 33), Brooklyn.

This is an application for a variance of the zoning law in a business use district to permit a gasoline selling station, the basis of the appeal being section 21.

The property is located at the southeast corner of Shell road and Canal avenue, Borough of Brooklyn, and is slightly irregular but with a frontage on each of these streets of approximately 100 ft. These two streets laid out 120 ft. wide are to form a part of a continuous boulevard, starting with the United States Government Reservation at Dyker Beach, following Cropsey avenue, Neptune avenue, Shell road, Canal avenue and other existing thoroughfares to Marine Park. At the junction of Shell road and Canal avenue, West 6th street also intersects. On West 6th street is the elevated subway, so that this corner where the site under appeal is located is to become a very important traffic intersection. The plans of the Borough of Brooklyn indicate traffic islands and traffic lights to be installed to regulate the traffic which will be made more difficult due to the existence of the columns of the elevated structure.

These improvements, however, may take several years for fulfillment. The location is further complicated by the tracks of the L. I. Railroad crossing Canal avenue at grade just east of the property. These tracks are also used by the Gravesend Trolley to Coney Island. The property across this corner is also zoned for business but to the west across Shell road the district is zoned unrestricted and part of it is now used as yards for the B. M. T. Railroad. Coney Island Creek also is on this westerly side of Shell road. East of the property the section is zoned for residence.

There have been filed with this appeal a number of objections most of which have been withdrawn and, of the remaining, two are owners of property to the south on Dewey place, lots 30 and 31, and on these lots are located three frame structures.

The Committee that inspected this property on January 25, 1934, is of the opinion that a gasoline service station on the site under appeal would not prove a detriment or hazard to these buildings. The Committee is of the opinion that this property cannot be developed, owing to present surroundings and the undeveloped condition of the streets and area, for a conforming use and that sufficient hardship has been shown to justify the appeal being granted for a period of five years, it being their belief that within that time the improvements contemplated by the President of the Borough of Brooklyn will not have been completed. After these improvements are completed, the condition presented may be radically different, at which time this variance of the zoning resolution should be subject to review by this Board. In recommending that the appeal be granted, it is suggested that the Board limit the equipment to be installed to the northerly and westerly portion of the plot so as to remove them as far as practicable from the frame houses to the south, and that the Board impose such other conditions as seem desirable for the protection of the public.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT PEPPE,
BERNARD A. SAVAGE,
JAMES P. HOLLAND,
Committee of Inspection.

and

WHEREAS, the board deemed that applicant had shown sufficient hardship to warrant the granting of the application for a temporary period of five years under section 21.

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Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* for a temporary period of five years from the date of this action, under section 21, to permit the premises under appeal to be used for a gasoline selling station, *on condition* that the entire plot shall be graded generally to the grade of Shell road and Canal avenue; that there shall be erected continuously along the interior lot lines to the east and south, a substantial woven wire fence at least 6 ft. in height; that a building housing office and grease pits shall be erected toward the center of the plot; that these buildings shall not exceed one story in height and shall be constructed of incombustible materials, except that the roof beams, roof boarding, doors and windows may be of wood, provided the ceilings are fire-retarded in accordance with the rules of the board of standards and appeals and the roofs are surfaced with incombustible roofing of slate, tile or heavy asbestos shingles; that the fronts of the greasing pit section shall remain open and without doors; that there shall be no open excavation under these buildings except the pits for the greasing racks; that the balance of the plot, where not covered by accessory buildings, shall be cement paved or covered with cracked blue stone; that gasoline pumps erected shall be not nearer than 10 ft. to any lot line or any part of an accessory building; that no portable gasoline tanks shall be used on or from the property; that no automobile repairing shall be carried on; that there shall be no parking or storing of cars other than those being serviced; that there shall be not over two openings to the property from Shell road and not over two from Canal avenue; that these openings shall not exceed 25 ft. in width; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

562-32-BZ.

APPLICANT—Lama and Proskauer, for L. Greenblatt & S. Bernstein, owners; request for reopening made by Charles Goodman, architect for lessee.
SUBJECT—Application for reopening—amendment—re Application (decision of the supt. of bldgs.) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.
PREMISES AFFECTED—Southwest corner of Foch boulevard and Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.
APPEARANCES—
For Applicant: Charles Goodman.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0
THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5
Negative 0
Absent 0
THE RESOLUTION—
(562-32-BZ)

WHEREAS, the application affecting premises S. W. corner of Foch boulevard and Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Queens, was granted by the board March 21, 1933 on certain conditions and owner through his architect Charles Goodman requested an amendment of this resolution.

Resolved, that the resolution adopted by the Board on March 21, 1933, be and it hereby is *amended*, only so far

as it has to do with the condition imposed as to concrete curbs to be erected on the street line, so that as amended this clause of the resolution will read: .

"that there shall be erected along the street lines a reinforced concrete curb with a foundation not less than one foot in depth below grade, this curb to be not less than one foot in depth below grade, this curb to be not less than 12 inches high and 12 inches wide along Foch and Springfield boulevards, with not over two openings therein to Foch boulevard and not over two openings therein to Springfield boulevard, each not to exceed 30 ft. in width and no part of any opening within 10 ft. of the intersection of the two boulevards."

PETITION FOR VARIATION.

272-33-S.

PETITIONER—Croker Fire Prev. Corp., for East River Savings Bank, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—543 Eighth avenue (Block No. 761, Lot No. 32), Manhattan.

APPEARANCES—

For Petitioner: Sidney L. Strauss.

For Administration: Inspector Maher of Dept. of Buildings.

ACTION OF BOARD—Petition withdrawn to comply THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative: 0

Absent 0

APPLIANCES SUBMITTED FOR APPROVAL.

1-33-SA

PETITIONER—Charles A. Mezger, for Owen Dyneto Corporation, owner.

SUBJECT—Climax Automatic Fuel Oil Tank Control, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn, pending adoption of new oil burner rules.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative 0

Absent 0

369-33-SA.

PETITIONER—S-K Company, Inc., Owner.

SUBJECT—S-K Oil Burner, Model F, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of Chief of Bureau of Combustibles, Fire Dept., and engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Holland, Peppe and Savage and Assistant Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(369-33-SA)

WHEREAS, S-K Company, Inc., owner, filed, December 1, 1933, a petition with the board of standards and appeals for approval of its device known as the S-K Model F Oil Burner, and

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WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of the fire department, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The S-K Model F oil burner consists of the following parts, mounted as described below:

A Northern pump, manufactured by the Northern Pump Company; two fans, squirrel cage type, manufactured by the Arcoil Manufacturing Company, Inc.; a Monarch strainer; two Monarch Type "E" regulating and cut off valves; a Century 1/6 H.P. electric motor; a magnetic oil valve, manufactured by the Automatic Products Company, and a Monarch 2-gallon per hour nozzle.

Ignition—Webster 10,000 volts output transformer and electrodes manufactured by the Napco Specialty Sales Company.

The housing for the two fans and the air chambers from the same consist of a cast iron chassis. Between both fans, the motor, strainer, pump and regulating valves are mounted on rubber to eliminate vibration. The pump is driven by a belt from the main shaft of the motor.

At the starting of the burner, the oil, by means of the magnetic oil valve, passes from the pump to the low pressure regulating valve (set at 60#) and at the end of 30 seconds, the magnetic valve then releases the oil through the high pressure regulating valve set at 90 to 100# and automatically closes off low pressure valve. The burner then continues to operate from the high pressure side.

Controls—Controls used on the burner are Minneapolis Honeywell Pressuretrol, type L404-2; Protectorelay Type P117-3; Aquastat Type B6510, all manufactured by the Minneapolis Honeywell Company.

The burner was operated from a cold start with the oil supply cut off and on two successive tests, the electrical controls shut the burner down in 90 and 93 seconds respectively.

During the period of test there were no variations or fluctuation in the flame, other than that caused by the peculiar operation of this burner, i.e., the going from the low pressure flame to the high pressure flame. The combustion chamber showed no evidence of carbon deposits and there were no puff backs or soot formation.

We therefore recommend that the S-K Model F be approved for domestic use when installed in accordance with the provisions of the Fuel Oil Rules adopted by the board of standards and appeals.

WHEREAS, this burner was approved by the Underwriters Laboratories, Laboratories, File M. P. 251, September 9, 1933.

Resolved, that the board of standards and appeals does hereby approve the device known as the S-K Model F Oil Burner, for use in domestic installations when installed in accordance with above report and the fuel oil rules of the board of standards and appeals.

Adjourned, 5:10 p. m.

EDWARD V. BARTON, *Chief Clerk.*

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Kraissl Fuel Oil Pump.....	60-28-SA
American Marsh Simplex.....	639-25-SA	Leiman Rotary	95-24-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	M. D. Rotary.....	52-27-SA
Beach Russ Co. Rotary.....	1134-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Blackmer Rotary	935-24-SA	Monroe Oil Pump.....	658-26-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Northern Rotary	1396-24-SA
Century Rotary	908-21-SA	Pascoe Pump Set.....	1029-26-SA
Cook Electric Oil Pump.....	603-25-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Davidson	590-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Dean Bros. Durable Duplex.....	840-22-SA	Quimby Screw Pump.....	1193-21-SA
DeLaval IMO Oil Pump.....	628-32-SA	Ray Rotary	588-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Rotary Vacuum Pump.....	513-25-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

RULES

EXTRACTS FROM CHAPTER 10, CODE OF ORDINANCES OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1. General Provisions.

§1. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

33. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3 \frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, business buildings, and residence buildings are buildings as so defined by section 70, Article 4, of the Building Code of the City of New York.

NOTE:—**Public Buildings.** Public Buildings are buildings or parts of buildings in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical,

charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

NOTE:—**Residence Buildings.** Residence buildings are buildings or parts of buildings in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including among others, dwellings, tenement houses, hotels, lodging houses, dormitories, convents, and studios and club houses having sleeping accommodations.

NOTE:—**Business Buildings.** Business buildings are buildings or parts of buildings, which are not public buildings or residence buildings, including among others, office buildings, stores, markets, restaurants, warehouses, freight depots, car barns, stables, garages, factories, laboratories, smoke houses, grain elevators and coal pockets.

ARTICLE 3.

Bonds and Fees.

§43. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	\$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

ARTICLE 18.

Refrigerating Systems.

Section 216. Permits.

- " 217. Supervision.
- " 218. Classification.
- " 219. Permissible locations.
- " 220. Machinery rooms and ventilation.
- " 221. Open flames and electrical equipment.
- " 222. Testing.
- " 223. Piping.
- " 224. Safety devices.
- " 225. Size of safety devices.
- " 226. Location and discharge of safety devices.
- " 227. Operating precautions.
- " 228. Equipment diagrams.

§216. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) No refrigerating system shall be maintained or operated employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

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(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§217. Supervision.

(a) No refrigerating system containing more than fifty (50) pounds of refrigerant shall be maintained or operated in any building except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the police department. Where the system contains not more than 200 pounds of refrigerant and is fully automatic only one qualified operator will be required.

(b) No Class C system as hereinafter permitted for exhibition or demonstration purposes shall be maintained or operated in a public building or exhibition hall except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the police department.

§218. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and over the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§219. Permissible Locations.

(a) No Class A or Class B systems shall be installed in any public building as defined by section 70, article 4, of the Building Code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes or both; when not carried above the first floor in business buildings; in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant; in the business section of a residence building when not carried above the first floor; in a residence building occupied by not more than two families; or in any building provided a non-irritant and non-flammable refrigerant is used.

(c) No brine shall be used in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) No Class A system using ammonia shall be installed or maintained in any building above the first floor level unless such building is used exclusively for icemaking or refrigerating purposes.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) No refrigerating system employing an irritant and/or flammable refrigerant shall be installed or maintained in or on:

1. The stairways, halls, lobbies, entrances, exits, auditoriums of any building.

2. Dance hall, court room, police station, jail, subway, theatre, motion picture theatre.

3. Waiting or public rooms in a railroad passenger depot and/or rooms opening directly therein.

4. Rooms opening directly into a subway, and/or theatre, and/or motion picture theatre and/or where persons are detained and/or confined.

5. A school unless the refrigerating system is used exclusively for instructions or research purposes.

6. A hospital and/or asylum in which persons are confined or given medical treatment and/or helpless.

7. Unless as otherwise required by this section the refrigerating system is cut off from the building by unpierced fireproof construction.

The aforementioned provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals and/or laboratories and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing door or doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof door or doors.

§220. Refrigerating Machinery Rooms and Ventilation.

1. Refrigerating machinery rooms.

(a) All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing, fire doors or to a system containing less than six pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

(b) In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

2. Ventilation.

(a) Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

(b) When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in paragraph (d) shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in column E of the above-mentioned table.

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(c) When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in column B of the table in paragraph (d). The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in column C of the above-mentioned table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

(d)

Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
A	B	C	D
Up to.....20	150	1/4	1
50	250	1/3	1 1/2
100	400	1/2	2
150	550	2/3	2 1/2
200	680	2/3	3
250	800	1	3 1/2
300	900	1	4
400	1,100	1 1/4	4 1/2
500	1,275	1 1/4	5
600	1,450	1 1/2	6
700	1,630	1 1/2	6 1/2
800	1,800	2	7
900	1,950	2	7 1/2
1,000	2,050	2	8
1,250	2,350	2 1/4	9
1,500	2,800	2 1/2	11
1,750	3,150	3	12 1/2
2,000	3,500	3 1/2	14
2,500	4,150	4	16
3,000	4,500	4 1/2	18
4,000	6,000	6	24
5,000	7,500	7 1/2	30
6,000	9,000	9	36
7,000	10,500	10.5	42
8,000	12,000	12	48
9,000	13,000	13	52
10,000	14,000	14	56
12,000	17,000	17	68
14,000	19,000	19	75
16,000	22,000	22	86
18,000	24,000	24	92
20,000	26,000	26	100
25,000	33,000	33	121
30,000	39,000	39	142
35,000	44,000	44	155
40,000	51,000	51	176
45,000	56,000	56	190

Note—Door openings, leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

(c) Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in table (d) may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

(f) In lieu of mechanical means of ventilation in refrigerating machinery room or rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (1/4") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head

shall be installed on a 3/4-inch pipe; five heads on a 1-inch pipe; six heads on a 1 1/4-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated, easily accessible and shall be labeled and located outside of the refrigerating machinery room.

§221. Open Flames and Electrical Equipment.

1. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

2. Electrical equipment.

(a) All Class A and B systems, refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

(b) Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§222. Testing.

(a) Every part of any refrigerating system, except pressure gauges and control mechanism, shall be tested to at least the following pressures. Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1.	Col. 2.	Col. 3.
	High Pressure Side.	Low Pressure Side.	Low Pressure Side.
		With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§223. Piping.

1. Piping.

(a) All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

(b) The arrangement of stop valves, relief devices, etc., when used shall be as shown on the diagram for Class A and B systems in section 228.

(c) Every system which may be charged after installation shall have the charging connection located on its low pressure side.

2. Gauge glasses.

(a) Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

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§224. Safety Devices.

1. Construction and setting.

(a) Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section 222 (a), columns 1 and 2 of table.)

(b) Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

2. Use of stop valves.

(a) No stop valve shall be located between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

(b) A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

3. Ammonia mixer.

(a) The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

(b) The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

(c) No valve shall be located in the ammonia emergency discharge line except the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

(d) The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled having letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

(e) A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

(f) The fire department shall have sole use of the mixer and supply the necessary water.

(g) In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

(h) The ammonia mixer and its connection for a Class A system shall conform to the diagram in section 228.

§225. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—1½"	1—1½"
30 to 60 tons.....	1—1½"	1—¾"
60 to 100 tons.....	1—1½"	1—1"

100 to 175 tons.....	1—½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....		2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§226. Location and Discharge of Safety Devices.

1. Location.

(a) A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of this chapter to the contrary notwithstanding.

(b) Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

(c) A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

(d) Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

(e) Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to an abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

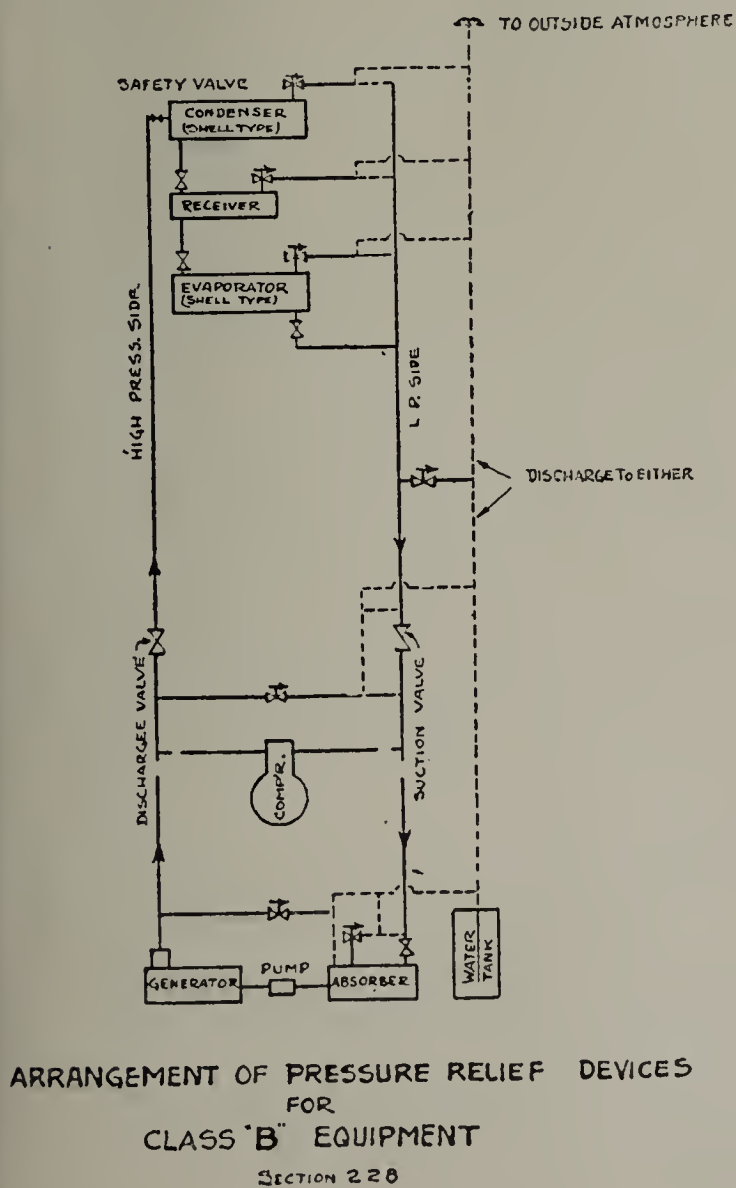
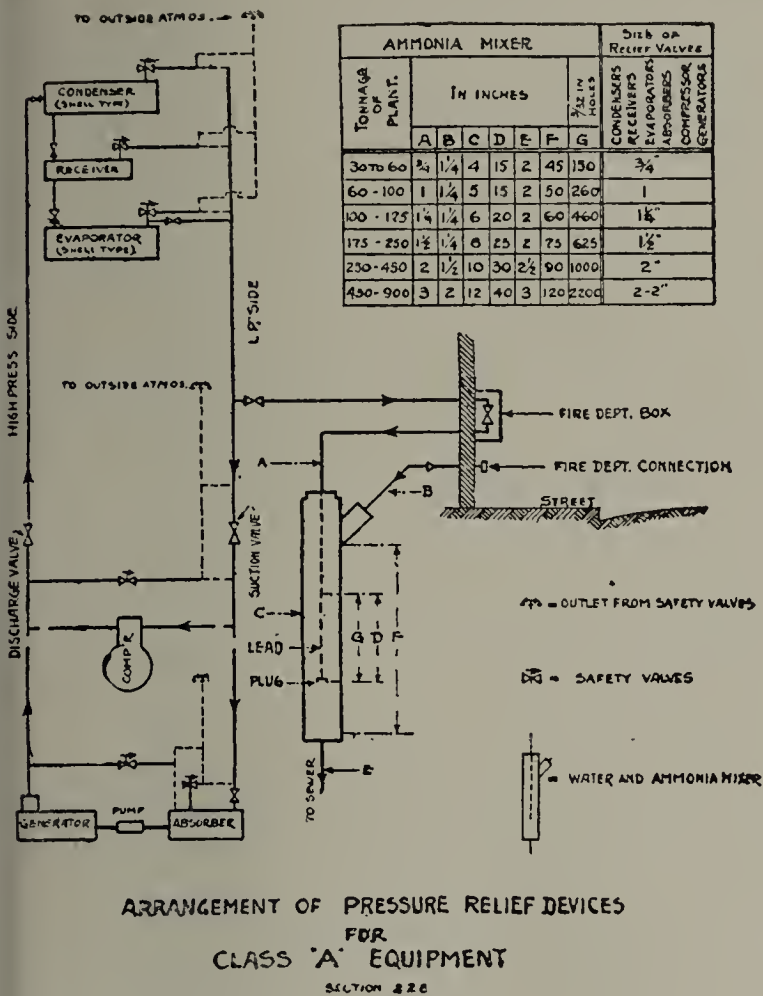
(f) A pressure relief valve will be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section 228-2.

2. Discharge of pressure relief valve.

(a) Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in section 224, 3. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

(b) Where more than fifty (50) pounds of ammonia is used in a Class B system the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems or to the low pressure side as shown in diagrams in section 228, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (1/8) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be

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greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

(c) Where more than fifty (50) pounds of any refrigerant other than ammonia is used the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbon dioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

(d) Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section 228.

§227. Operating Precautions.

1. Masks and helmets.

(a) In a Class A system which operates above atmospheric pressure shall be provided with at least two helmets or masks.

(b) In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

(c) Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

2. Signs.

(a) On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, condensers, shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

(b) The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system and the purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

(c) The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

3. Storage of refrigerant.

(a) Refrigerant not contained in the refrigerating system shall be stored only in flammable or irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

(b) Only two containers holding not more than a total of three hundred (300) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery rooms of a Class A system.

(c) Only one container holding not more than one hundred and fifty (150) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

(d) In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

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(e) If a greater amount of flammable or irritant refrigerant is desired other than that permitted in a refrigerating machinery room, it shall be stored in a fireproof building or enclosure used for no other purpose.

(f) When the refrigerant is withdrawn from a system it shall be discharged into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. No refrigerant shall be permitted to escape into the refrigerating machinery room.

(g) Containers shall not be connected to the system except during period of charging or withdrawing the refrigerant.

§228. Equipment Diagrams.

Section 5. This ordinance shall take effect immediately. Adopted by the Board of Aldermen December 13, 1927.

Received from his Honor the Mayor December 30, 1927, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

ARTICLE 26.

Miscellaneous.

§300. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of this chapter, in addition to any other penalties prescribed by law or ordinance, shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

RULES

RULES FOR THE TESTING OF WOOD

Pursuant to the Provision of Section 356 of Chapter 5 of the Code of Ordinances (Building Code).

(639-27-SR)

Adopted by the Board of Standards and Appeals July 22, 1927. Amended March 16, 1928.

Rule 1. Before any wood may be used for flooring or interior trim where incombustible materials are required under the provisions of section 356 of the Building Code, the commissioner of buildings must be notified promptly upon the delivery at the job of a consignment of such material. One test sample for each 2,000 feet of material will then be selected by a representative of the Department of Buildings, marked for identification, and forwarded to the testing laboratory, where, under the supervision of the commissioner of buildings or his representative, the samples shall be subjected to the following tests:

Before making tests, all specimens for testing shall be oven dried at a temperature of 140° F. to a point where there is no further loss of weight due to evaporation of moisture content.

A. SHAVING TEST—A mass of shavings cut fairly thick from the outside and interior of sticks of the treated wood are to be tested separately. These shavings shall be placed to a depth of two inches in a metal vessel twelve inches square, the bottom of which shall consist of a wire screen of ½ inch mesh. The shavings shall be packed down moderately to reduce the air spaces. A Bunsen yellow flame shall then be placed beneath the receptacle so that the flame is in contact with the shavings. After twenty-five seconds the flame shall be removed. The flame at no time should show higher than six inches above the top of the bed of shavings and the shavings should not be consumed in less than five minutes.

B. TIMBER TEST. Two samples ¾ inch by 1½ inches in cross section and twelve inches long shall be

laid side by side across the top of a gas crucible furnace with a pyrometer between them. The specimens shall be subjected to a flame at 1700 deg. Fahrenheit for two minutes, the test pieces shall then be removed, and the time of duration of flame and glow observed. The sticks shall then be cut through the middle at the most burned section and the area of the unburned wood measured with a planimeter. The flame must not persist longer than 15 seconds nor the glow longer than 20 seconds, and, in the case of hard woods, the unburned area should not be less than 55 per cent., nor in the case of soft woods less than 45 per cent.

C. CRIB TEST—Twenty samples are to be prepared, each ½ inch square and 6 inches long. These shall be built up on a ring support to form a crib work five tiers high, four sticks to a tier, making the crib six inches by six inches, and approximately 2½ inches high. The crib shall be set six inches above a Bunsen burner to which the crib shall be exposed for a period of one minute at a temperature approximating 1200 deg. Fahrenheit. The flame must not persist more than twenty seconds after the Bunsen burner is removed, nor the glow last more than thirty seconds. The tendency of the flame to spread from stick to stick must also be noted.

Rule 2. All of the above tests shall be at the expense of the owner or contractor, or other interested party.

If the tests are satisfactory the entire shipment will be permitted to be taken into the building and used. If not, the entire shipment shall be condemned and must be removed from the premises.

In general, acceptance shall be predicated upon the existence of a complete plant in full working order from which the material is shipped, and each shipment, or, where possible, each piece shall be trade marked in a conspicuous manner so that there may be no doubt as to its identity.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

737-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue, Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

814-27-SA—Elkhart Flush Type Siamese, approval of.

213-28-SA—Ford Automatic Pressure Regulating Valve, approval of.

42-29-SA—Safe-Way Outlet Pressure Reducing Valve, approval of.

210-29-SA—A Diamond "S" 250 lbs. 2½-inch Angle Globe Water Hose Valve, approval of.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A", approval of.

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line, approval of.

32-31-SA—Ray-Dio Sunshine Oil Burner, approval of.

250-31-SA—Lunkenheimer 2½-inch, Figure No. 8610, Bronze Angle Hose Valve, 150 Pounds Water Working Pressure, approval of.

251-31-SA—Lunkenheimer 2½-inch, Figure No. 8613, Bronze Angle Hose Valve, 250 Pounds Water Working Pressure, approval of.

379-31-SA—The Lenahan Gas & Steam Coil for Garage Use, approval of.

534-31-SA—Page Fuel Burner, approval of.

125-32-SA—Beacon Oil Burner, approval of.

209-32-SA—Croker 4-inch Siamese, approval of.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida, approval of.

286-32-SA—Hubbard Silent Electric Oil Burner, approval of.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner, approval of.

501-32-SA—Diard Oil Burner, approval of.

528-32-SA—Weldon Extinguisher, approval of.

561-32-SA—Wills Fuel Oil Burner, approval of.

592-32-SA—The Ameroil Range Burners, approval of.

615-32-SA—Metro Oil Burner, approval of.

23-33-SA—Sunrex Range Oil Burner, approval of.

39-33-SA—Cutler-Hammer, Inc., Enclosed High and Low Water Float Switch for Standpipe Alarm Systems (Bulletin No. 10041), approval of.

62-33-SA—Florence Oil Heater, Model KC-8, approval of.

82-33-SA—Inferno Oil Burner, approval of.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns, approval of.

100-33-SA—Blaw-Knox (Madsen) Fuel Oil Pump, approval of.

101-33-SA—Blaw-Knox (Madsen) Fuel Oil Burner, approval of.

126-33-SA—Tower Range Oil Burner, approval of.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve, approval of.

164-33-SA—Firemaster Fire Extinguisher, approval of.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner), approval of.

193-33-SA—Nemes-Gluck Oil Burner, approval of.

195-33-SA—Bullet Automatic Oil Burners, Models A and B, approval of.

204-33-SA—Mohawk Oil Burner, approval of.

218-33-SA—Presto Gas Pressing Machine Burner No. 10, approval of.

222-33-SA—Dowie Combination Anti-Syphon Valve, approval of.

231-33-SA—Signal Engineering & Manufacturing Co. Interior Fire Alarm Box, approval of.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe, approval of.

244-33-SA—Petro Oil Burner, Model W-2, approval of.

245-33-SA—Petro Oil Burner, Models W-1 and W-1½, approval of.

271-33-SA—Perfect-Pantex Oil Burner, approval of.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters, approval of.

349-33-SA—Herco Oil Burner, approval of.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1, approval of.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady.....	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	5
Cases filed up to February 7, 1934.....	31	Dismissed	2
Restored to Calendar	13	Denied	9
		Granted	0
		Granted on condition.....	21
		Appliances approved	5
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		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	33	Requests to reopen granted.....	30
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Requests for extension of permit.....	1	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	2	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	4
Requests for interpretation.....	0	Requests for extension of time denied.....	0
Total	309	Requests for extension of permit granted.....	1
Disposed of	100	Requests for extension of permit denied.....	0
Cases pending February 7, 1934.....	209	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	2
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	0
		Requests withdrawn or dismissed.....	1
		Total.....	100

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

FEB 24 1934

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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FEBRUARY 20, 1934

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No. 8

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHIEF JOHN J. McELLOGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Court Decision.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

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Minutes of Regular Meeting, February 14, 1934, at 2 P. M.

Correction.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, February 19, 1934*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, February 26, 1934*, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to February 14, 1934.

Cal. No.	Department.	Premises Affected.
41-34-SA.....	F.D.....	Forsdraft Burner. Appliance.
40-34-A.....	D.B.M....	61-65 W. 23d st. (Block 825, Lot 9), Manhattan. F-7268
39-34-BZ.....	D.B.Q.....	N. W. Cor. Ambroke ave. & Westmoreland st. (Block 4118, Lot 221), Little Neck, Queens. Decision No. 69
38-34-SA.....	F.D.....	Real Host Oil Burner. Appliance.
37-34-BZ.....	D.B.Q.....	S. W. Cor. 150th st. & Northern blvd. (Block 5018, Lot 12), Flushing, Queens. N. B. 65-1934
36-34-SA.....	F.D.....	Utility Oil Burner Model "A." Appliance.
35-34-BZ.....	D.B.M....	74 Wadsworth ave. (Block 2145, Lot 54), Manhattan. N. B. 120-1933
34-34-SA.....	F.D.....	Standardyne Oil Burner. Appliance.
33-34-SA.....	F.D.....	Tridex Cleaning Machine Appliance.
32-34-SA.....	F.D.....	Super Oil Burner. Appliance.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

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Certificate of Occupancy, approved forms.....	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	Jan. 9, 1934—Vol. 19 No. 2
Elevator Rules.....	Dec. 12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
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Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10 No. 14
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Refrigerating Systems, Extract C. O.	Feb. 13, 1934—Vol. 19 No. 7
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Structural Alterations, Reporting.....	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	Feb. 13, 1934—Vol. 19 No. 7
Fuel Oil Burners for Domestic and Commercial Use.....	Feb. 20, 1934—Vol. 19 No. 8
Fuel Oil Burners for Industrial Use.....	Jan. 30, 1934—Vol. 19 No. 5
Fuel Oil Pumps.....	Feb. 20, 1934—Vol. 19 No. 8

COURT DECISION

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available.

Hughes vs. Murdock—Mr. Justice May—Certiorari quashed. May 16, 1933, Board denied reopening of case decided by Board Jan. 13, 1931, denying application to alter part of existing residence for funeral parlor use, in residence district, under section 21, Cal. No. 543-30-BZ; premises 4860 45th street, N. W. corner 50th avenue, Woodside, Queens.

CALL OF CLERK'S CALENDAR

MONDAY, FEBRUARY 19, 1934, AT 2 P. M.

Building Zone Cases.

20-28-BZ.

APPLICANT—Philip Freshman, for Markus Siegelman, owner.

PREMISES—99-105 Prospect Park Southwest, northwest corner of 16th street (Block No. 5259, Lot No. 22), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to business use (store); (previously denied; reopened November 21, 1933).

457-30-BZ.

APPLICANT—Frank Caraccia, owner.

PREMISES—Southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar September 12, 1933).

381-33-BZ.

APPLICANT—Chas. M. Lobejager, for George Robbin, owner.

PREMISES—North side of Roosevelt avenue, 466' west of 103d street (Block No. 1770, Lot Nos. 60-62-64-65), Corona, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

389-33-BZ.

APPLICANT—Stewart Willey, for Marcelle S. Flint, owner.

PREMISES—115-117 Manhattan avenue, west side, 50' north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a factory building.

362-33-BZ.

APPLICANT—John E. Sexton, for Rose Held, owner.

PREMISES—195 Graham avenue and 149-155 Scholes street, northwest corner (Block No. 3034, Lot No. 27), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

CALENDAR

7-30-BZ.

APPLICANT—Chas. Tolleris, for 5612—18th Avenue Holding Corp., owner.

PREMISES—5612-5614—18th avenue (Block No. 5493 Lot No. 40), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the installation of a gasoline service station (previously granted April 22, 1930, for a motor vehicle repair shop; reopened September 19, 1933); (previously granted February 3, 1925, under Cal. No. 1266-24-BZ, for milk distributing station).

356-33-BZ

APPLICANT—Jack Fein, for Enmor Realty Corporation, owner.

PREMISES—Northwest corner of Avenue V, and Ocean avenue (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of a business building (stores).

FEBRUARY 20, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 20, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 451-32-BZ—Application, August 16, 1932; denied January 13, 1933; reopening for reconsideration for a reduced plot and for a temporary period denied June 9, 1933; remitted to the Board by order of Court, January 5, 1934; application of William I. Alpert, on behalf of Church & 94th Street Corp., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station for a temporary period on a smaller plot; premises 9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Brooklyn.

CAL. NO. 317-33-BZ—Application, October 11, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Dickel Construction Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 308-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Jacob E. Hurwitz, applicant, on behalf of Alice Fadool, owner, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use; premises 195 Prospect Park, West,

northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

CAL. NO. 339-33-BZ—Application, November 10, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Otnas Realty, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

CAL. NO. 374-33-BZ—Application, December 7, 1933, under section 21 of the building zone resolution, of John H. Scheier, applicant, on behalf of Manufacturers Trust Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2400-2412 Flatbush avenue, northwest corner of Avenue T (Block No. 8528, Lot Nos. 1 and 72), Brooklyn.

CAL. NO. 116-33-BZ—Application, March 27, 1933; denied June 27, 1933; request for reopening withdrawn July 18, 1933; reopened January 26, 1934, for reconsideration under new facts, under sections 7e and 21 of the building zone resolution, of Arthur F. Lamanda, applicant, on behalf of Katherine Alberti, owner, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ; premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 20, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, February 20, 1934*, at 2 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 321-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of Hyman and Segall, applicants, on behalf of Pennbrook Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Oak avenue and Jamaica avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens.

CAL. NO. 331-33-BZ—Application, October 19, 1933, under section 21 of the building zone resolution, of Emil Guterman, applicant, on behalf of Litvin Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Brooklyn.

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CAL. NO. 273-33-BZ—Application, August 15, 1933, under section 21 of the building zone resolution, of Goldwater & Flynn and Samuel Rosenblum, applicants, on behalf of R. V. W. Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), The Bronx.

CAL. NO. 242-33-BZ—Application, June 30, 1933, under section 21 of the building zone resolution, of Edward V. McKeown, applicant, on behalf of 1351 Boscobel Avenue Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

CAL. NO. 344-33-BZ—Application, November 10, 1933, under sections 7a, 7c and 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Parkville Amusement Corp., owner, to permit in a residence district the erection and maintenance of a recreation centre; premises 1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

CAL. NO. 872-28-BZ—Application, November 14, 1928, under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building (stores); granted on certain conditions, April 2, 1929; application of Eugene De Rosa, Inc., on behalf of John A. McCarthy, owner, reopened February 6, 1934, under section 21 of the building zone resolution, to permit the alteration and reconstruction of a portion of these stores into a motion picture theatre; premises 2311 Grand Concourse, northwest corner of East 183d street (Block No. 3164, Lot No. 31), The Bronx.

CAL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, FEBRUARY 26, 1934, AT 2 P. M.

Building Zone Cases.

354-33-BZ.

APPLICANT—Joseph B. Schwartz, for Edlar Realty Corp., owner.

PREMISES—Northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

380-33-BZ

APPLICANT—Joseph B. Schwartz, for Frank Teltsch, owner.

PREMISES—475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

376-33-BZ.

APPLICANT—Clifford F. Hart, for Benjamin G. Hitchings Lumber Corp., owner.

PREMISES—3202-3204 Avenue H, south side, Avenue H from East 32d street to New York avenue (Block No. 7578, Lot Nos. 53 and 57), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop.

373-33-BZ.

APPLICANT—Henry J. Nurick, for Michael Salit, owner.

PREMISES—176-192 Kings highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

357-33-BZ.

APPLICANT—DeRose and Cavalieri, for Ida M. Hewitt, owner.

PREMISES—3349-3357 East Tremont avenue, east side, 75' south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station.

378-33-BZ.

APPLICANT—Rubenstein and Rosling, for Kings Brewery, Inc., owner.

PREMISES—225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of an existing building to a business use (office building).

386-33-BZ.

APPLICANT—Marcus L. Bermann, for Ralph Horton, owner.

PREMISES—Northeast corner of Eastern boulevard and Soundview avenue, thru to Croes avenue (Block No. 3722, Lot No. 18), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

CALENDAR

1-33-BZ.

APPLICANT—Frank B. Reardon, for Theodore G. Zeh, owner.

REMISES—170-07—115th avenue (Block No. 3087, Lot No. 350), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

O PERMIT in a residence district the change of occupancy in part of an existing residence building to a business use; reopened September 26, 1933.

4-32-BZ.

APPLICANT—Arthur H. Haaren, for Rock Jay Realty Co., Inc., owner.

REMISES—West side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

O PERMIT in a business district the erection and maintenance of a gasoline service station (previously denied under Section 7f; reopened under section 21 December 27, 1933).

FEBRUARY 27, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 27, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

AL. NO. 335-33-BZ—Application, October 30, 1933, under section 21 of the building zone resolution, of Wood and Marshall, applicants, on behalf of Marshall Contracting Co., Inc., owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 5563-5573 Kings highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 and 9), Brooklyn.

AL. NO. 366-33-BZ—Application, December 4, 1933, under section 7b of the building zone resolution, of Thomas D. Conroy, applicant, on behalf of Marie Whitehurst Conroy, owner, to permit partly in a business district and partly in a residence district, the alteration and change of occupancy of part of an existing building from dwelling to business use; premises 71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

AL. NO. 77-33-BZ—Application, February 27, 1933, under section 21 of the building zone resolution, of Anthony P. Sorice, Jr., applicant, on behalf of Vincent J. Repaci, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

AL. NO. 198-33-BZ—Application, May 29, 1933; withdrawn July 18, 1933; reopened and restored to Calendar January 3, 1934, under section

21 of the building zone resolution, of John J. Hegarty, applicant, on behalf of Port of New York Authority, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises West side of Haven avenue, 217'4½" north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

CAL. NO. 315-33-BZ—Application, October 6, 1933; dismissed for lack of prosecution, December 27, 1933; reopened and restored to Calendar January 16, 1934, under section 21 of the building zone resolution, of William J. Russell, applicant, on behalf of Russand Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

CAL. NO. 323-33-BZ—Application, October 14, 1933; dismissed for lack of prosecution, January 16, 1934; reopened and restored to Calendar January 30, 1934, under section 21 of the building zone resolution, of G. A. Schonewald, applicant, on behalf of Elgeo Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1934, 2 P. M.

Appeals from Administrative Orders.

371-33-A—Foot of Beach 79th street, north side of Long Island Railroad (Block No. 545, Lot No. 1), Rockaway Beach, Borough of Queens.

385-33-A—387-393 Fourth avenue (Block No. 883, Lot No. 1), Manhattan.

2-34-A—241-259 Park avenue (Block No. 1301, Lot No. 1), Manhattan.

18-34-A—39 West 25th street (Block No. 827, Lot No. 14), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, February 27, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters:*

CAL. NO. 320-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of John A. Cosgrove, applicant, on behalf of Gottel Radish, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Borough of Richmond.

CAL. NO. 399-30-BZ—Application, June 18, 1930; denied November 25, 1930; reopened March 17,

CALENDAR

1931, under section 21 of the building zone resolution, of William Richter, applicant, on behalf of Sadie Hartwig, owner, to permit in a business district the erection and maintenance of a gasoline service station; granted on certain conditions, April 21, 1931; reopened February 6, 1934, for an amendment to the resolution to permit the inclusion of a three (3) car garage; premises 2808-2818 86th street and 2279-2285 West 8th street, southeast corner (Block No. 7143, Lot No. 88), Brooklyn.

CAL. NO. 332-33-BZ—Application, October 25, 1933, under section 21 of the building zone resolution of Charles A. Carey, applicant and lessee, on behalf of Whitnol Corp., owner, to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

CAL. NO. 313-33-BZ—Application, September 29, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Isaac Klapper, owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

CAL. NO. 240-33-BZ—Application, June 29, 1933, under section 21 of the building zone resolution, of Irving Proskauer, applicant, on behalf of John J. Halleran, owner, to permit in a business district the erection and maintenance of a gasoline service station (December 5, 1933, placed on Reserve Calendar pending full vote of board; restored to Calendar January 30, 1934) premises southeast corner of Nassau boulevard and 250th street (Block No. 4080, part of Lot No. 250), Little Neck, Borough of Queens.

CAL. NO. 199-33-BZ—Application, June 1, 1933, under section 21 of the building zone resolution, of Lama & Proskauer, applicants, on behalf of William H. Parry, owner, to permit in a business district the erection and maintenance of a gasoline service station (December 5, 1933, placed on Reserve Calendar pending full vote of board; restored to Calendar January 30, 1934) premises northeast corner of 250th street and Nassau boulevard (Block No. 4084, part of Lot No. 200), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 5, 1934, AT 2 P. M.

Building Zone Cases.

368-33-BZ.

APPLICANT—Archie H. Samuels, for Sonsam Corporation, owner.

PREMISES—Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in residence district, the erection and maintenance of a gasoline service station.

348-33-BZ.

APPLICANT—Samuel Rosenblum, for Bleitborn Building & Holding Corp., owner.

PREMISES—2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1) Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

5-34-BZ.

APPLICANT—Louis I. Becker, for Elsie S. Domville, owner.

PREMISES—15 East 61st street (Block No. 1376, Lot No. 12), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to business use (restaurant).

132-31-BZ.

APPLICANT—Kennedy & Ellner, for Wandil Realty Corp., owner.

PREMISES—Northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to Calendar November 21, 1933).

379-33-BZ.

APPLICANT—Andrew Havrylok, owner.

PREMISES—Southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

382-33-BZ.

APPLICANT—Andrew Yablonsky, owner.

PREMISES—Southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a motor vehicle repair shop.

8-34-BZ.

APPLICANT—Kennedy & Ellner, for Wardell Holding Corporation, owner.

PREMISES—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

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4-33-BZ.

APPLICANT—Joseph S. Gershman, for Maphi Realty Co., Inc., owner.

REMISES—Northeast corner of Hillside avenue and Chelsea road (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

3-34-BZ.

APPLICANT—William Shary, for Estate of Jonas Weil, owner.

PREMISES—229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot Nos. 49, 50, 51 and 13), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles, which is located in an unrestricted district.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

WEDNESDAY MORNING, FEBRUARY 14, 1934.

Present: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, February 6, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, February 6, 1934, were approved as printed in Bulletin No. 7, Vol. XIX.

BUILDING ZONE CASES.

93-33-BZ.

APPLICANT—William F. Doyle, for Abraham Halperin, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

APPEARANCES—

For Applicant: William F. Doyle.

For Opposition: G. G. McMann, David Harrison.

ACTION OF BOARD—Laid over to February 20, 1934, at 2 p. m., on request of attorney for opposition.

332-33-BZ.

APPLICANT—Charles A. Carey (lessee), for Whitnoyl Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

APPEARANCES—

For Applicant: Ivan E. Naginn, Charles A. Carey, Irving W. Lyon.

For Opposition: Louis A. Jackson, Frederick E. Zvirin.

ACTION OF BOARD—Laid over to February 27, 1934, at 2 p. m., for report of committee on inspection without further argument.

313-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Isaac Klapper, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district

and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr.

For Opposition: Ellwyn F. Hayslip, John J. O'Reilly, Timothy Driscoll.

ACTION OF BOARD—Laid over to February 27, 1934, at 2 p. m., for report of committee on inspection without further argument.

47-28-BZ.

APPLICANT—Charles E. Murphy, for The Texas Company, present owner.

SUBJECT—Request for reopening—modification—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast intersection of Bailey avenue and Bailey place (Block No. 3262, Lot No. 1), The Bronx.

APPEARANCES—

For Applicant: Charles E. Murphy.

ACTION OF BOARD—Request to reopen, withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief

Kidney	4
Negative	0
Absent	0

330-33-BZ.

APPLICANT—Charles M. Lobejager, for Harry Sheer, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Lobejager.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief

Kidney	4
Negative	0
Absent	0

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THE RESOLUTION—

(330-33-BZ)

WHEREAS, Charles M. Lobejager, for Harry Sheer, owner, filed, October 24, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 14, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business district; (Proposed) 228th street is in a business and unrestricted district; (Proposed) East Hempstead boulevard—business and unrestricted;

WHEREAS, the decision of the commissioner of buildings, rendered October 4, 1933, re Plan No. 2073-1933, reads:

"The erection of a gasoline service station in a business district is contrary to Art. 2, Sec. 4, subd. 46 of the BZR."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 97.2 ft. and a depth of 62 ft., upon which it is proposed to erect a one-story office structure 20 ft. by 14 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises were the subject of an inspection made by a committee of the board on February 8, 1934, and the committee reported in favor of granting this application for a temporary period; and

WHEREAS, the board deemed that applicant was entitled to relief under Section 21, for a temporary period of two years.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* to permit the plot under appeal to be used for a gasoline service station under section 21 for a period of two years from the date of this action, *on condition* that no part of the plot shall extend into any portion of a mapped street; that the site shall be filled substantially to the level of Northern boulevard; that there shall be erected on the interior lot lines a substantial woven wire fence not less than 6 ft. in height; that the buildings to be erected on the plot shall consist of an office building only, as indicated in plans filed with this appeal, not exceeding one story in height and with no open excavation under same; that this accessory building shall be constructed of incombustible materials except that the roof beams, roof boarding, doors and windows may be of wood; that the ceiling shall be fire-retarded in accordance with the rules of the board of standards and appeals and the roof shall be of incombustible materials; that the balance of the plot where not occupied by accessory building shall be cement paved or covered with crushed blue stone; that gasoline pumps shall be not nearer than 10 ft. to the street line of Northern boulevard or to the accessory building; that there shall be no portable gasoline tanks used on or from the property; that there shall be no storage or parking of cars other than those being serviced; that if grease pits are installed they shall be enclosed in a one-story building similar to the office building with the front left open; that gasoline storage tanks, if of the double shell type, may be on earth leveled and well tamped, separated one from the other, not less than 6 in. and filled in with earth on all sides and between the tanks; that the gasoline storage tanks shall be coated with rust-resisting material; that signs advertising non-conforming use shall be limited to the illuminated globes of the gasoline pumps and to one permanent flat sign placed on the front of the office building, excluding all other signs of every nature; that there shall be no open flame permitted on the property; that if and when curbs are erected on Northern boulevard, there shall be not over two openings to these

premises, each opening not exceeding 30 ft.; that all permits shall be obtained within three months and all work completed within six months from the date of this action.

68-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for M.C.R. Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar).

PREMISES AFFECTED—9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr., Charles Lipsky, Leo N. Levy.

For Opposition: George E. Hill, S. J. Koff.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners	
Peppe and Savage and Assistant Chief	
Kidney	4
Absent	0

THE RESOLUTION—

(68-33-BZ)

WHEREAS, Joseph D. Nunan, Jr., for M.C.R. Holding Corp., owner, filed, February 20, 1933; withdrawn June 13, 1933; reopened and restored to calendar September 19, 1933; an application under the building zone application to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises: 9707-9719 Kings highway, northwest corner of Clarkson avenue and Rockaway boulevard (Block No. 4633, Lot No. 44), Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 14, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kings highway is in a business and residence district; Rockaway parkway is in a residence district; East 98th street is in a business district and Clarkson avenue is in a business district;

WHEREAS, the decision of the commissioner of buildings, rendered September 25, 1933, re Applic. No. 10779-33, reads:

"Proposed gasoline service station to be located partly in a business use and partly in a residential district, is contrary to Art. II, Sec. 3 and Sec. 4a of the Zone Resolution. DENIED."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 140 ft. on Rockaway parkway, 44 ft. on Clarkson avenue and 120 ft. on Kings highway—a small portion of the easterly part of the plot is in the business district—the remainder is in the residence district. Proposes to erect on the site an irregular shaped one-story structure approximately 20 ft. by 90 ft., to be used for crank case service, brake service, office and auto laundry and also, proposes to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises were the subject of an inspection by a committee of the board on June 8, 1933, prior to the case being withdrawn, which report reads as follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 68-33-BZ.

Premises: 243-247 Rockaway parkway, 1155-1159 Clarkson avenue, northeast corner, and 9707-9709 Kings highway, northwest corner Clarkson avenue (Block No. 4633, part of Lot No. 44), Borough of Brooklyn.

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On June 8, 1933, a committee of the board, consisting of Chairman Murdock, Commissioners Connell, Holland and Guilfoyle, visited and inspected the above-mentioned premises.

This is an application under Section 21 of the Building Zone Resolution, to permit partly in a residence district and partly in a business district the erection and maintenance of a gasoline service station. This is an application for a gasoline service station on an irregular shape plot at the junction of Rockaway parkway, Kings highway and Clarkson avenue and is almost entirely in the residential use district, although the other half of the block is zoned for business and the opposite corner of Rockaway parkway and Clarkson avenue is also zoned for business, while the property directly opposite at the junction of Rockaway parkway, Clarkson avenue and Kings highway and at the junction of Kings highway and Rockaway parkway is in a residence district.

The property in question and the lots adjoining to the north and east are under the same ownership. Part of this property was before the board on a previous occasion under Cal. No. 851-28-BZ and a variation of the Building Zone Resolution was granted for stores along the entire block front in this ownership along Kings highway, including the corner which is the subject of this application. These stores have not been constructed.

Adjoining the property to the north, at the junction of Kings highway and East 98th street, the board denied an application for a garage under Cal. No. 352-29-BZ. This latter case was appealed to the court and was finally carried to the Court of Appeals, which court sustained the Appellate Division in its reversal of the lower court which had reversed the board upon a referee's report. There was, also, a case before the board across Kings highway where an application for a garage was denied and the plot has since been developed with a conforming use, namely, an apartment house with stores on the ground floor.

The applicant claims that the owner has shown good faith by attempting to construct a store building granted by the board on this property, but has been unable to finance it and calls attention of the board to the fact that if a gasoline station is erected on this plot, the owner will be the greater sufferer from any depreciation of value of the surrounding property as he owns the adjacent property and also calls attention to garages granted by the board on East 98th street, on which street there is also an elevated railway.

There have been filed with this application ten consents and only one objection, which objection has been filed by the owner of a gasoline station on Kings highway, about 200 ft. east.

In spite of the consents filed, the committee of the board is of the opinion that it would be a mistake to permit a gasoline station on this corner, and believes that in granting a store building use which is non-conforming in a residence district, that the board went as far as it should and that the applicant has not proved his further claim of hardship in asking for a permit for a use that would be non-conforming not only in the residence district, but in the business district as well and accordingly recommends denial.

(Signed) H. H. MURDOCK,
Chairman.
HENRY L. CONNELL,
JAMES P. HOLLAND,
JOHN GUILFOYLE,
Committee of Inspection.

WHEREAS, the board deemed that applicant has failed to substantiate his basis of appeal under section 21 and, therefore, was not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

205-29-BZ.

APPLICANT—Edward L. Kelly, for Whitestone Service Station, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the maintenance of a gasoline service station previously granted by the board for a temporary period (reopened September 19, 1933).

PREMISES AFFECTED—157-30 Willets Point boulevard, southeast corner of Cross Island boulevard (Block No. 619, part of Lot No. 15), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Edward L. Kelly, Louise Devigo.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(205-29-BZ)

WHEREAS, this application, affecting premises 157-30 Willets Point boulevard, southeast corner of Cross Island boulevard (Block No. 619, part of Lot No. 15), Whitestone, Borough of Queens, was granted by the board at its meeting, July 26, 1929, on certain conditions, for a temporary period under section 7, subdivision F, which has been extended from time to time, and applicant requests a further extension under section 21; and

WHEREAS, these premises were the subject of an inspection by a committee of the board on February 8, 1934; and

WHEREAS, the board deemed that applicant had substantiated his basis of hardship under section 21; and

WHEREAS, it appears that an error had occurred in the preamble of the resolution of the board of July 14, 1931, which should have read that the action of the board was under section 7, subdivision F.

Resolved, that the resolution of the board, adopted July 14, 1933, be amended, so as to permit the premises under appeal to be used for a gasoline station under section 21 for a period of five years after the termination of the existing 2-year grant under section 7-F, which grant terminates on July 14, 1935, *on condition* that there shall be erected on the interior lot line a substantial woven wire fence not less than 6 ft. in height for a distance back from Willets Point boulevard and Cross Island boulevard of not less than 75 ft. with a similar fence erected at that point across the property; that the accessory building shall be restricted to the existing one-story office erected toward the center of the property, as indicated on plans filed marked "Received November 17, 1933"; that this office building shall be restricted to one story in height; that there shall not be erected more than two greasing pits unless same are erected inside a one-story building with fronts left open; that the balance of the plot shall be leveled and cement paved or covered with cracked blue-stone; that the gasoline pumps shall be not nearer than 10 ft. to the street building line or to any part of an accessory building; that a concrete curb 12 in. in height and 12 in. in width shall be erected near the intersection of Willets Point boulevard and Cross Island boulevard; that entrances to the premises shall not exceed two, each entrance not to exceed 25 ft. in width; that there shall be

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no portable gasoline pumps used on or from the property; that signs advertising non-conforming uses shall be restricted to the illuminated globes of the gasoline pumps; that there shall be no storage or parking of cars on the premises other than those being serviced; that no automobile repairing shall be carried on; that no open flame shall be permitted on the premises.

422-32-BZ.

APPLICANT—Marie Schutz, owner; request for reopening made by R. McC. Robinson, attorney for owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use and also "D" area district the erection and maintenance of a building to be used for business purposes.

PREMISES AFFECTED—Northeast side of Pine Grove street, 125 ft. north of South street (Block No. 1098, Lot No. 33), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: R. McC. Robinson.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(422-32-BZ)

WHEREAS, this application affecting premises east side of Pine Grove street, 125 ft. north of South street (Block No. 1098, Lot No. 33), Jamaica, Borough of Queens, was granted by the board at its meeting December 16, 1932, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on December 16, 1932, be amended, only so far as it refers to the storage of cars in the building, so that as amended the resolution in that respect will read:

"That not more than one motor truck shall be stored in the building at any time, *on condition* that the truck so stored shall be the property of the owner and that there shall be a masonry wall with any openings therein protected with fireproof doors or steel rolling shutters, so as to close off the truck storage space from the balance of the warehouse; that the resolution other than as amended herein shall be complied with in all respects."

Adjourned, 1:00 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

WEDNESDAY AFTERNOON, FEBRUARY 14, 1933.

Present: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief Kidney.

BUILDING ZONE CASES.

240-33-BZ.

APPLICANT—Irving Proskauer, for John J. Halleran, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Nassau boulevard and 250th street (Block No. 4080, part of Lot No. 250), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: James Kearney.

For Opposition: None.

ACTION OF BOARD—Laid over to February 27, 1934, at 2 p. m., for full vote of the board.

199-33-BZ.

APPLICANT—Lama and Proskauer, for William H. Parry, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of 250th street and Nassau boulevard (Block No. 4084, part of Lot No. 200), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: James Kearney.

For Opposition: None.

ACTION OF BOARD—Laid over to February 27, 1934, at 2 p. m., for full vote of the board.

568-28-BZ.

APPLICANT—Thomas Moore, for Axel L. Anderson, owner; request for reopening made by A. L. Anderson.

SUBJECT—Request for reopening—consideration under new facts—re Application (decision of the tenement house commissioner), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of the first story from residence to a business use. (Previously denied.)

PREMISES AFFECTED—226 East 31st street, southwest corner of Beverly road (Block No. 4930-A, Lot No. 6), Brooklyn.

APPEARANCES—

For Applicant: Axel L. Anderson.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(568-28-BZ)

WHEREAS, this application affecting premises 226 East 31st street and 3022 Beverly road (Block No. 4930-A, Lot No. 6), Brooklyn, was denied by the board December 4, 1928, and applicant requested a reopening of this case on the basis of new facts; and

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WHEREAS, this request for reopening was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 568-28-BZ.

Premises: 226 East 31st street and 3022 Beverly road (Block No. 4930-A, Lot No. 6), Brooklyn.

This is an application for a reopening and rehearing under new facts of an application denied by the board December 4, 1928.

The property in question is a three-story apartment house, located in a residential district at the southwest corner of Beverly road and East 31st street. The application which the board denied on December 4, 1928, was for a variance to permit the ground floor of this building to be occupied by four stores. At the time of hearing, the objections in the neighborhood were overwhelming.

The claim that new facts exist is based on the condition of the property directly opposite on Beverly road. At the time of the hearing in 1928, this property was occupied as a private dwelling, with an office in the rear, used for business. Since the hearing in 1928, this office has been remodeled under the power granted to the Superintendent under Section 6 of the Building Zone Resolution. The floor of the office was lowered to street level and a new front installed, and two private garages erected on the rear lot, such private garages being permitted in a residence use district.

The question of whether the superintendent of buildings was within his rights in granting the permit to make this alteration was passed on by the board under an appeal, Cal. No. 105-30-A, to revoke the certificate of occupancy, which appeal was denied. A statement filed by the applicant at the hearing January 26, 1934, at which the request for a reopening was filed is a copy of a statement filed when the case was first heard in 1928. The courts have ruled on many occasions that the board cannot review its decision unless substantially new facts are presented.

The committee having inspected the property on February 1, 1934, and reviewed the previous case and the new facts now presented, are of the opinion that nothing substantial has been brought out to warrant the case being brought up for a rehearing and recommend that the request be denied.

(Signed) H. M. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommended that the request for reopening be denied; and the board deemed that the basis of the request as to new facts had not been substantiated.

Resolved, that the request for reopening be and it hereby is *denied*.

337-33-BZ.

APPLICANT—John J. Dunnigan, for City Bank Farmers Trust Co., as Trustee of Estate of William Waldorf Astor, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7f and 21 of the building zone resolution, to permit in a business district the maintenance of a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—East side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), The Bronx.

APPEARANCES—

For Applicant: Joseph F. Dusenbury.

For Opposition: Louis J. Witkin, Frank Lutz.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(337-33-BZ)

WHEREAS, John J. Dunnigan, for City Bank Farmers Trust Co., as trustee of Estate of William Waldorf Astor, owner, filed, November 6, 1933, an application under the building zone application to permit in a business district the maintenance of a parking space for more than five (5) motor vehicles; premises: East side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 14, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that River avenue is in an unrestricted, residence and business district; that Gerard avenue is in a business and residence district; and that East 161st street is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 4, 1933, reads:

"Your letter of September 14, 1933 (with inclosed diagram), received, requesting a permit for three curb cuts and the parking of automobiles on plot in a business district as established by the Building Zone Resolution, on the east side of River avenue, extending to west side of Gerard avenue beginning 100 ft. north of East 161st street with a frontage of 278 ft. on River avenue and a frontage of 48.29 ft. on Gerard avenue (Block No. 2484, Lot No. 9), in the Borough of The Bronx.

"Your application for a permit for the parking of more than five motor vehicles on above plot in a business district is hereby denied, being prohibited by the provisions of Sections 4-A-15 of the Building Zone Resolution, as amended March 1, 1928."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 278 ft. on River avenue, 48 ft. on Gerard avenue and a distance of 230 ft. along the south lot line. It is proposed to use the premises as a parking space for more than five motor vehicles; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 337-33-BZ.

Premises: East side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), Borough of The Bronx.

This is an application for a zoning variance to permit the premises under appeal, which is located in a business use district on the easterly side of River avenue, to be used for a parking space for more than five motor vehicles.

The property is located 100 ft. north of East 161st street and extends through to Gerard avenue, having a frontage of 287 ft. on River avenue and 48 ft. on Gerard avenue, and being approximately triangular in shape, with an area of approximately 35,000 sq. ft. Westerly from the site there is a large park and south of the site, diagonally opposite, is the Yankee Stadium, which block is zoned partly for business and partly unrestricted. The property to the south part is generally unrestricted and there are several garages and parking spaces in existence. It was brought out at the hearing that these existing garages and parking spaces would accommodate approximately 2,000 cars and that

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on days on which baseball games are held, approximately 5,000 cars seek accommodation. If these figures are generally correct, it would seem that there is a need for parking accommodation, otherwise cars have to be parked in the street and create a danger and nuisance to the public.

The application is brought under Section 21 and 7(f). In the opinion of the committee, Section 7(f) does not apply, as the section is generally highly developed and not a section within the meaning of Section 7, Subdivision (f). As to Section 21, the committee finds there is a temporary hardship existing. This property faces a city park. The balance of the block to the north is not built upon. East 162d street, north of the property, has not been constructed between River avenue and Gerard avenue. The property to the south, except for the ball park, could not be expected to provide any business and east of the premises there is an upward grade which would mitigate against property being developed for store purposes.

In the opinion of the committee which inspected this site on February 8, 1934, this section is adaptable for apartment houses, but the committee recommends that for a period of five years a variance of the Zone Resolution be granted, permitting the use of this space for the parking of more than five automobiles during the day time, on condition that the premises be properly fenced in and openings to the area restricted to River avenue.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT PEPPE,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, the board deemed that section 7(f) does not apply but that the applicant has substantiated his contention of a temporary hardship under section 21.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21, for a period of five (5) years from the date of this action, permitting the plot to be used as parking space for more than five automobiles of the pleasure-car type during periods when the Yankee Stadium is used for baseball games or exhibitions and in no event to permit this parking space to be used for over-night parking, on condition that the plot under appeal shall be surrounded by a substantial woven wire fence not less than 6 ft. in height on all exterior lot lines; that the openings to this parking space shall not exceed three (3), all from River avenue, each opening not to exceed 25 ft. in width; and that all permits shall be obtained within three months and any work involved to be completed within six months from the date of this action.

334-33-BZ.

APPLICANT—Charles M. Lobejager, for Harry Sheer, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station

PREMISES AFFECTED—Northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Lobejager and Mr. Jalluci.

For Opposition: Anthony Andosca and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Peppe and Savage and Assistant Chief
Kidney 4

Absent 0 and

THE RESOLUTION—

(334-33-BZ)

WHEREAS, Charles Lobejager, for Harry Sheer, owner, filed, October 27, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 14, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 108th street is in a business district; that 50th avenue is in a residence and business district; that 49th avenue is in a residence district; and that Corona avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 13, 1933, reads:

"The erection of a gasoline service station in a business district is contrary to art. 2, section 4, subdiv. 46 BZR."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on 108th street and 50 ft. on 50th avenue, upon which it is proposed to erect a one-story office and accessory store 16 ft. x 20 in. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 334-33-BZ.

Premises: Northwest corner of 108th street and 50th avenue (Block No. 1993, Lot No. 65), Corona, Borough of Queens.

The premises under appeal in this case are located on the westerly side of 108th street and 50th avenue, Corona, Queens, with a frontage of 100 ft. on 108th street and 50 ft. on 50th avenue, located in a business use district. This section for several blocks is very much of a neighborhood residential district, the property to the west and east being zoned for residence, except the frontage along 108th street.

There were many objections filed with this application and there appears to be no non-conforming uses in this vicinity. On the other hand, there are at least four gasoline stations to the south within two or three blocks, which provide, in the opinion of the committee which inspected this site on February 1, 1934, ample accommodations for the neighborhood.

The applicant claimed at the hearing that he had planned to build a moving picture theatre on this site, together with the rear 100 ft. which he owned, but couldn't carry this through because of the residential zoning of a portion of the plot and that a petition was before the Board of Estimate for a change of zone. It appears from a letter received from the applicant since the hearing that instead of this action being before the Board of Estimate, he had reference to Cal. No. 690-22-BZ, in which the board granted permission to use 50 ft. of the property for the proposed motion picture theatre. The theatre, however, was apparently not constructed, even though the board granted the variance sought.

In the opinion of the committee, there is no need for a gasoline service station at this site, and no hardship has been shown to justify the variance sought and the committee recommends the application be denied.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
Committee of Inspection.

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WHEREAS, the committee in its report recommends that application be denied; and the board deemed that applicant had not substantiated the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

318-33-BZ.

APPLICANT—Jerome F. Healy, Jr., for Benedicta Vetter, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7e, 7g and 21 of the building zone resolution, to permit in a business district the conversion of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—2259-2261 Washington avenue, west side, 101 ft. north of East 182d street (Block No. 3038, Lot No. 35), The Bronx.

APPEARANCES—

For Applicant: Jerome F. Healy, Jr.

For Opposition: Louis J. Witkin, John Block, Clarence A. Appleton and Ralph Mauro.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(318-33-BZ)

WHEREAS, Jerome F. Healy, Jr., for Benedicta Vetta, owner, filed, October 11, 1933, an application under the building zone application to permit in a business district the conversion of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises: 2259-2261 Washington avenue, west side, 101 ft. north of East 182d street (Block No. 3038, Lot No. 35), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 14, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Washington avenue is in a business district; that Park avenue is in an unrestricted and business district; and that East 182d street is in a business and unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 25, 1933, re Applic. Alt. 466-33, reads:

"Proposed alteration and conversion of existing stable for more than five horses in business district to garage for more than five motor vehicles is contrary to provisions of Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. 7 in. and a maximum depth of 133 ft. Upon the northerly front of the plot there is located a frame, 2½ story dwelling. The remainder of the plot (exclusive of a 13 ft. 6 in. wide driveway is occupied by a one-story brick structure occupied as a stable for more than five horses. It is proposed to alter and to occupy this structure as a garage for more than five motor vehicles. A small area at the southeast corner of the plot is in the unrestricted district, the remainder is in the business district; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 318-33-BZ.

Premises: 2259-2261 Washington avenue, west side, 101 ft. north of East 182d street (Block No. 3038, Lot No. 35), The Bronx.

The zoning variance sought in this case is for a garage for more than 5 motor vehicles at 2259-2261 Washington avenue, The Bronx. Washington avenue is zoned for business. The application is brought under Sections 7E, 7G and 21. The requirements of Section 7G have not been complied with as the consents of the owners of 80 per cent of the property frontage in the area deemed by the board to be affected have not been obtained.

As to Section 7E, it is undisputed that there existed on the site a stable for more than 5 horses, prior to July 25, 1916. The former stable building was torn down and a new brick stable building has been erected under plans and approved by the superintendent of buildings under Alteration No. 179 of 1933, covering removal of the frame walls and substitution of brick. The new building is one story in height and considerably below the grade of Washington avenue and is the full width of the lot. The front of the new stable building is approximately 25 ft. back from the building line. The entrance to the stable on Washington avenue is down a fairly steep ramp. There exists on the front of the property a two-and-one-half story frame dwelling.

Under Section 7E the Board of Standards and Appeals is permitted to grant a variance to allow the erection or extension of a garage or stable. There is no record that this matter came before the board prior to the new stable having been erected and there is no authorization in the law permitting the superintendent of buildings to give a permit for a new building such as was erected on this plot to replace the old one, unless the then existing frame stable had burned down, in which case a replica of the former building could have been constructed.

It is not disputed that the present structure is a great improvement over the former. The neighbors, however, are strenuous in their objection and would undoubtedly like to have the stable eliminated, but the objection is to the new building being used as a garage instead of a stable.

While property in the rear is zoned for unrestricted use and while it is a fact that a small portion of this plot is in the unrestricted area, Washington avenue is very definitely residential except for a one-story factory which adjoins this building to the south.

This site adjoining to the south at the corner of E. 182d street was the subject of an appeal before the board on three occasions for the purpose of obtaining a zoning variance for a garage and the application was denied. Except for a grocery store at the corner, the block opposite is entirely used for residential purposes. There is also a school on the corner of East 183d street, one block to the north, approximately 300 ft. away.

While the committee, which inspected the premises on February 8, 1934, recognizes that this owner has been granted the right to use this building for a stable, and that it lies within the power of the board to grant a garage use, the committee is of the opinion, much as it sympathizes with the owner, who states that he cannot use the building as intended, that public health and safety and the general welfare will not be secured by granting the garage use for this building and that the entrance to this garage in what is essentially a residential area located near a public school, would cause a dangerous condition to exist.

In the opinion of the committee, this building should be used for some conforming use, without this hazard. In the committee's opinion hardship under Section 21

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has not been shown and therefore recommends that the application be denied.

(Signed) H. H. MURDOCK,
Chairman.

VINCENT C. PEPPE,
BERNARD A. SAVAGE,
Committee on Inspection.

and

WHEREAS, this report recommended that the application be denied; and the board deemed that applicant had not substantiated the basis of application under sections 7E, 7G and 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

74-33-BZ.

APPLICANT—Martin J. Ort, for Packard Motor Car Co. of New York, owner; request for reopening made by Charles E. Murphy, attorney for owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit, partly in a business district and partly in a residence district, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles (previously granted by the board for automobile showroom, sales and distributing and service station).

PREMISES AFFECTED—4650-4664 Broadway and 2-16 Sherman avenue (Block No. 2175, Lot No. 1), Manhattan.

APPEARANCES—

For Applicant: Martin J. Ort, Charles E. Murphy.

For Opposition: Michael F. Pinto (opposition withdrawn at hearing).

For Administration: Frank Lutz, department of parks.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(74-33-BZ)

WHEREAS, the application affecting premises 4650-4664 Broadway and 2-16 Sherman avenue (Block No. 2175, Lot No. 1), Borough of Manhattan, was granted by the board January 9, 1934, for a temporary period on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution of the board adopted on January 9, 1934, be amended only so far as it has reference to existing windows on interior lot lines and to signs, so that as amended the clause with reference to existing windows shall read:

“... that no additional windows on interior lot lines shall be installed other than those now in existence, and that any windows within 5 ft. of windows or fire-escapes of adjoining apartment houses shall be made fixed and unopenable”;

that the clause in relation to signs shall read:

“... that no electric or other signs shall be erected on roof in addition to the sign in existence at the present time which shall not be used for advertising

purposes other than the advertising of the Packard Motor Car Company; that other than as amended herein the resolution shall be complied with in all respects.”

59-33-BZ.

APPLICANT—Charles A. Mulligan, Jr., for Antonio Pavin, owner.

SUBJECT—Application for reopening—amendment of resolution and extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and, also, the change of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—110 Alaska street, southwest corner of Henderson avenue (Block No. 197, Lot No. 90), West New Brighton, Richmond.

APPEARANCES—

For Applicant: Antonio Pavin.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(59-33-BZ)

WHEREAS, this application affecting premises, 110 Alaska street S. W. corner of Henderson avenue (Block No. 197, Lot No. 90), West New Brighton, Borough of Richmond, was granted by the Board Sept. 19, 1933, on certain conditions and applicant requests an amendment of the resolution.

Resolved, that resolution of the Board adopted September 19, 1933, be amended only so far as it refers to the building to be erected and to the time within which the work is to be completed, so that as amended with respect to the building the resolution shall read:

“... that a building of concrete block shall be constructed at the rear of plot near intersection of two side lot lines, or that the existing concrete block building may be moved to this location provided the new or existing building so moved shall not exceed 30 by 35 ft. in area and shall be not over one story in height with no cellar underneath; that the ceiling shall be fire retarded in accordance with the Rules of the Board of Standards and Appeals and the roof surfaced with incombustible materials; that the balance of the plot shall be cement-paved or covered with cracked bluestone; that no additional accessory building shall be built on the plot other than the building referred to as automobile repair shop; that all windows in exterior wall of this building shall be fireproof, self-closing; that gasoline and oil pumps shall be not nearer than 10 ft. to the street line of Alaska street or Henderson avenue, nor nearer than 10 ft. to accessory building; that there shall be erected on the interior lot lines, where not occupied by the automobile repair shop, a substantial woven wire fence not less than 6 ft. in height; that if and when street curbs are installed along Alaska street and Henderson avenue there shall be not over two (2) curb cuts permitted, each curb cut not to exceed 25 ft. in width; that any grease pit erected shall be toward the rear of the lot; that the automobile repair work shall be conducted inside the building only; that there shall be no motor-driven tools installed which requires a motor power greater than ½ h.p.

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each; that no acetylene torch or open flame shall be permitted on the premises; that no portable gasoline tanks shall be used on or from the premises; that such signs as are erected advertising non-conforming use shall be confined to illuminated globes of gasoline pumps and to one flat wall sign attached to the building; and that all permits shall be obtained within six months and all work involved shall be completed within one year from the date of this amended resolution.

304-33-BZ.

PREMISES AFFECTED—838 Washington avenue (Block No. 1176, Lot No. 97), Brooklyn.

ACTION OF BOARD—Resolution submitted to Board of Estimate and Apportionment recommending change in zone.

THE VOTE TO SUBMIT RESOLUTION TO BOARD OF ESTIMATE AND APPORTIONMENT RECOMMENDING CHANGE IN ZONE—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(304-33-BZ)

WHEREAS, a committee of the Board of Standards and Appeals made an inspection of the premises and neighborhood involved in this application and in its report recommended that instead of the Board granting a variation on the particular plot under appeal, the applicant in the case should apply to the Board of Estimate and Apportionment to have the whole block front re-zoned, which recommendation was contained in a resolution adopted by the Board of Standards and Appeals on January 30, 1934; and in conformity with such recommendation, the Board, at its meeting on February 14, 1934, adopted the following resolution:

Resolved, that the Board of Standards and Appeals, recommends to the Board of Estimate and Apportionment, as result of their investigations and because of variances that have been granted, that the *block on Washington avenue from St. John's place to Lincoln place and for a distance of at least 100 ft. on either side toward Eastern parkway, Borough of Brooklyn*, should be re-zoned for *business use*.

APPEAL FROM ADMINISTRATIVE ORDER.

363-33-A.

APPELLANT—W. C. McTarnahan, for Petroleum Heat & Power Co., Inc., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—492-518 Kingsland avenue, east side, 237 ft. north of Greenpoint avenue (Block No. 2517, Lot No. 14), Brooklyn.

APPEARANCES—

For Appellant: R. A. Davidson, Arthur W. Erickson.

For Administration: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(363-33-A)

WHEREAS, W. C. McTarnahan, for Petroleum Heat & Power Co., Inc., filed, November 28, 1933, an appeal from a decision of the commissioner of buildings affecting premises 492-518 Kingsland avenue, E.S., 237 ft. No. of Greenpoint avenue, (Block No. 2517, Lot No. 14), Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated November 1, 1933, re Applic. No. 13077-1933, reads:

"All storage tanks comprising or forming a part of an oil storage plan shall be buried so that the tops thereof shall be at least two feet below the grade level. Sec. 111, Sub. Div. 5, Article 8, Chap. 10 C. of O.; and

WHEREAS, the premises consists of a large plot of ground 360 ft. by 387 ft. and 507 ft. irregular in area, bounded at the northeast by Newtown Creek; occupied by several frame and brick buildings, five fuel oil storage tanks of 1,720,000 gallons total capacity, one blending tank of 20,000 gallons capacity and a concrete pit for future installation of ten gasoline storage tanks of 200,000 gallons total capacity, located within an unrestricted use district; and

WHEREAS, the appellant proposes to install two (2) 20,000 gallon fuel oil tanks above grade level, to be used in conjunction with the existing blending tank, and also to erect an addition to the pump house, for the accommodation of additional pumping equipment in connection with the new tanks; and

WHEREAS, the appellant claims the existing storage tanks have been erected above grade level under permits previously granted by the Board due to the nature of the soil; that it is impracticable to bury the tanks below high water level; the entire plant is equipped with a foamite system, hose houses, portable foamite tanks, and a standpipe system so arranged to provide the maximum of fire protection, furthermore there is direct telegraphic communication with Fire Headquarters through the National District Telegraph Company.

Resolved, that the decision of commissioner of buildings be and it hereby is *modified*, and the appeal be and it hereby is *granted*, to permit the construction of two (2) 20,000 gallon storage tanks for the storage of blended fuel oil, *on condition* that the tanks shall be enclosed with walls of reinforced concrete, forming a reservoir with a capacity of not less than 1½ times the total capacity of the two (2) tanks so enclosed; that this equipment shall be protected by an approved liquid fire extinguishing medium, as required under resolution adopted by the board on October 8, 1931, under Cal. No. 386-29-A.

PETITION FOR VARIATION.

254-32-S.

PETITIONER—Ferdinand Savignano, substituted for Lama and Proskauer, for Beautyland Realty Corp., owner.

SUBJECT—Application for reopening—modification—re Petition for variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—1321-1323 61st street, north side, 160 ft. east of 13th avenue (Block No. 5719, Lot No. 68), Brooklyn.

APPEARANCES—

For Petitioner: Arnold W. Lederer.

For Administration: None.

ACTION OF BOARD—Petition reopened and resolution modified.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO MODIFY RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(254-32-S)

WHEREAS, this petition affecting premises 1321-1323 61st street, north side, 160 ft. east of 13th avenue (Block No.

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5719, Lot No. 68), Borough of Brooklyn, was granted by the board July 12, 1932, amended November 4, 1932, and petitioner requests a modification of the resolution.

Resolved, that resolution of the board, adopted July 12, 1932, as amended by resolution of November 4, 1932, be modified, so that as modified the resolution of November 4, 1932, shall read:

Resolved, that the resolution be *modified* to delete the words 'direct to the street' and to substitute before the words 'as shown on the plans submitted with this petition' the words "to the front stairway, egress from the termination of this stairway through the 3 ft. 8 in. by 7 ft. doorway to the first floor of easterly building and, also, by a 3 ft. 8 in. by 7 ft. doorway to the building to the west, each to be equipped with self-closing, fireproof doors, or as shown on the plans submitted with this petition, provided the front or southerly stairways shall not be less than 41 in. in width between enclosure walls and the rear or northerly stairway not less than 39 inches in width between enclosure walls, and that other than as modified herein, the resolution adopted July 12, 1932, as amended by resolution of November 4, 1932, shall be complied with in all respects."

APPLIANCES SUBMITTED FOR APPROVAL.

1-34-SA.

PETITIONER—Stephan H. Payne, Agent, for The Williams Gauge Company, owner.

SUBJECT—Hager Silent Check Valve, approval of.

APPEARANCES—

For Petitioner: Stephen H. Payne.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to fire prevention division of department of buildings and engineer of this board for test and report.

10-34-SA.

PETITIONER—Isaac Huppert, for Hupp Oil Burner Company, owner.

SUBJECT—Hupp Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to bureau of combustibles, fire department and engineer of the board for test and report.

244-33-SA.

PETITIONER—Petroleum Heat and Power Company, owner.

SUBJECT—Petro Oil Burner, Model W-2, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of this board and assistant chief of bureau of combustibles of fire department, likewise having the approval of Underwriters' Laboratory.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(224-33-SA)

WHEREAS, the Petroleum Heat and Power Company, owner, filed, July 6, 1933, a petition with the board of standards and appeals for approval of their device known as the Petro Oil Burner Model W-2; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of the fire department, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The Model W-2 oil burner, submitted for approval is a horizontal rotary mechanical draft burner of the spinning cup type. The burner consists of the following parts:

Petro pump and blower mounted on the same shaft as the motor, which is a $\frac{1}{4}$ h.p. Westinghouse motor; Petro strainer and a Jefferson Ignition transformer.

Controls—Minneapolis Honeywell Pressuretrol and Minneapolis Honeywell Pyrostat; Minneapolis Honeywell Safety relay, type R 113-1.

Ignition—A combination gas and electric igniter. Gas supply is turned on at the start and is ignited by means of an electric spark. Gas pilot light is equipped with a magnetic gas control valve.

The burner was operated from a cold start with the fuel oil supply cut off, and on two successive tests the electric controls shut the burner down in 90 and 100 seconds respectively. During the period of test there were no puff backs or soot formation, and no evidence of carbon deposits.

We therefore recommend that the Petro Oil Burner, Model W-2 be approved for domestic and commercial use when installed in accordance with the Fuel Oil Rules of the Board of Standards and Appeals; and

WHEREAS, this device has been approved by the Underwriters' Laboratories. File MP-550.

Resolved, that the board of standards and appeals does hereby approve the device known as the Petro Oil Burner Model W-2 for use and domestic and commercial installations when installed in accordance with above report and the fuel oil rules of the board of standards and appeals.

245-33-SA.

PETITIONER—Petroleum Heat & Power Company, owner.

SUBJECT—Petro Oil Burner, Models W-1 and W-1½, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of this board and assistant chief of bureau of combustibles of fire department, likewise having the approval of Underwriters' Laboratory.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(245-33-SA)

WHEREAS, the Petroleum Heat and Power Company, owner, filed July 6, 1933, a petition with the board of standards and appeals for approval of their device known as the Petro Oil Burner, Models W-1 and W-1½ and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustible of the fire department approved by the assistant chief of department in charge of the bureau of combustibles, was substantially as follows:

Models W-1 and W-1½ are horizontal rotary mechanical draft burners of the spinning cup type. Burners consist of the following parts:

Petro fan mounted on a shaft with 1/10 h.p. Westinghouse motor; Jefferson Ignition transformer and Petro strainer.

MINUTES

Ignition—A combination gas and electric igniter. Gas supply is turned on at the start and is ignited by means of an electric spark. Gas pilot light is equipped with a magnetic gas control valve.

Controls—Detroit lubricator, constant level valve, Model DL Type 8, controlling the level of the oil supply to the burner; Dual Solenoid control; Minneapolis Honeywell Pyrostat, type 3; Minneapolis Honeywell Protectorelay, type R-113-1; Minneapolis Honeywell magnetic gas valve, type 46-1.

This is a gravity fed burner and in this particular case the supply of oil is fed from a Teasdale pump.

The burner was operated from a cold start with the fuel oil supply cut off, and on two successive tests the electric controls shut the burner down in 90 and 99 seconds respectively.

During the period of test there were no puff backs or soot formation; no evidence of carbon, or fluctuation of flame.

We therefore recommend that when these Models W-1 and W-1½ Petro Oil Burner are installed in accordance with the Fuel Oil Rules of the Board of Standards and Appeals, they be approved for domestic use; and

WHEREAS, this device has been approved by the Underwriters' Laboratories. File MP-550.

Resolved, that the board of standards and appeals does hereby approve the device known as the Petro Oil Burner Models W-1 and W-1½ for use in domestic installations when installed in accordance with above report and the fuel oil rules of the board of standards and appeals.

Adjourned, 3:45 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

*CORRECTION.

The minutes of the meeting of the board of standards and appeals held Feb. 6, 1934, as they appeared in Bulletin No. 7, Vol. XIX are hereby corrected to read as follows:

THE RESOLUTION—

(562-32-BZ)

WHEREAS, the application affecting premises S. W. corner of Foch boulevard and Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Queens, was granted by the board March 21, 1933 on certain conditions and

* Correction—Reduplicated words "This curb to be not less than one foot in depth below grade" omitted in lines 14 and 15 of resolution.

owner through his architect Charles Goodman requested an amendment of this resolution.

Resolved, that the resolution adopted by the Board on March 21, 1933, be and it hereby is amended, only so far as it has to do with the condition imposed as to concrete curbs to be erected on the street line, so that as amended this clause of the resolution will read:

"that there shall be erected along the street lines a reinforced concrete curb with a foundation not less than one foot in depth below grade, this curb to be not less than 12 inches high and 12 inches wide along Foch and Springfield boulevards, with not over two openings therein to Foch boulevard and not over two openings therein to Springfield boulevard, each not to exceed 30 ft. in width and no part of any opening within 10 ft. of the intersection of the two boulevards."

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Kraissl Fuel Oil Pump.....	60-28-SA
American Marsh Simplex.....	639-25-SA	Leiman Rotary	95-24-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	M. D. Rotary.....	52-27-SA
Beach Russ Co. Rotary.....	1134-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Blackmer Rotary	935-24-SA	Monroe Oil Pump.....	658-26-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Northern Rotary	1396-24-SA
Century Rotary	908-21-SA	Pascoe Pump Set.....	1029-26-SA
Cook Electric Oil Pump.....	603-25-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Davidson	590-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Dean Bros. Durable Duplex.....	840-22-SA	Quimby Screw Pump.....	1193-21-SA
DeLaval IMO Oil Pump.....	628-32-SA	Ray Rotary	588-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Rotary Vacuum Pump.....	513-25-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Fluid Heat Oil Burner.....	361-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Franklin Domestic Oil Burner.....	560-26-SA
Air-Blast Oil Burner.....	579-32-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Alladin Oil Burner.....	298-26-SA	Fuelo Oil Burner.....	47-30-SA
Alexander Oil Burner.....	65-28-SA		
Arcoil Heat Machine.....	632-26-SA	Gar Wood Oil Burner.....	373-30-SA
Auto-Heat Oil Burner.....	284-33-SA	Gar Wood Oil Burner, Model K and Model K-3500	481-32-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	General Electric Fuel Oil Burner.....	434-32-SA
		General Electric Oil Burner, Type DA-2....	228-33-SA
Baker Automatic House Heating Burner....	1323-22-SA	Ghapco Steam Generator.....	348-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Gill Oil Burner.....	1231-23-SA
Berggren Oil Burner.....	764-26-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bettendorf Oil Burner.....	731-28-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Gulf Oil Burner.....	382-26-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA		
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hardinge Oil Burner.....	813-25-SA
Branford Oil Burner.....	36-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Branford Oil Burner, Model "A".....	461-32-SA	Harris Fuel Oil Burner.....	690-30-SA
		Hart Automatic Oil Burner.....	1162-24-SA
Caloroil Burner, Type AA.....	1361-24-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hayward Oil Burner	696-30-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Heatiator Oil Burner.....	1346-23-SA
Carborundum Burner	571-29-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carter-Korth Oil Burner	54-30-SA	Hercules Oil Burner.....	510-29-SA
Century Oil Burner.....	157-28-SA	Hercules Oil Burner, Models H and HF....	309-33-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Homer Domestic Oil Burner.....	1211-25-SA
Cook's Automatic Oil Burner.....	955-27-SA		
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Crescent Oil Burner	222-29-SA	International Mechanical Draft Oil Burner...	372-30-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	International Oil Burner.....	1305-24-SA
Crown Oil Burner, Type XA.....	426-29-SA		
Crystal Blue Flame Oil Burner.....	423-29-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
		Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Joyce Oil Burner.....	852-26-SA
D'Elia Oil Burner.....	155-31-SA		
Delco Heat Oil Burner.....	420-31-SA	K. F. C. Oil Burner.....	846-25-SA
DeWalt Oil Burner.....	541-31-SA	Kelco Oil Burner.....	237-33-SA
Dist-o-matic Oil Burner.....	663-28-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Doe Oil Burner.....	317-31-SA	Kleen Heat Oil Burner.....	62-24-SA
Doherty Oil Burner.....	943-26-SA	Kleen Heat Oil Burner, Type "R".....	49-33-SA
		Kreager Oil Burner.....	367-30-SA
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA	Kres-Kno Oil Burner.....	443-28-SA
Economy Oil Burner, Type A-1.....	45-31-SA		
Eisler Automatic Oil Burner.....	481-27-SA	Laco Oil Burner, Model NL.....	670-30-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Lange Economical Oil Burner.....	355-33-SA
Ember-Glo Oil Burner.....	462-32-SA	Lawrence May Oil Burner.....	1034-27-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Leader Oil Burner.....	425-31-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Liberty Automatic Heater.....	129-28-SA
Espo Oil Gas Burner.....	1431-23-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Evenheet Oil Burner.....	554-32-SA		
Everedy Oil Burner.....	102-33-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
		M. W. Oil Burning Water Heater.....	737-29-SA
Fairfield Oil Burner.....	584-31-SA		
Faultless Oil Burner.....	493-24-SA		
Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Magna Fuel Oil Burner.....	197-33-SA	S-K Oil Burner, Model F.....	369-33-SA
Majestic Oil Burner.....	693-30-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Marr Oil Heat Machine.....	765-26-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Master Fuel Oil Burner.....	350-32-SA	Schulze Home Oil Burner.....	1487-23-SA
Master-Kraft Oil Burner.....	83-33-SA	Scott-Newcombe Pioneer Oil Burner, Models C and CA.....	436-32-SA
May Oil Burner.....	68-24-SA	Security Oil Burner.....	56-28-SA
Mayfield Oil Burner.....	568-31-SA	Shepard Oil Burner.....	563-30-SA
Mayflower Oil Burner.....	124-29-SA	Shill Oil Burner.....	315-30-SA
McIlvane Oil Burner.....	544-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Melco Automatic Oil Burner, Type "A"....	1032-25-SA	Silent Automatic Oil Burner.....	458-26-SA
Merco Oil Burner.....	637-29-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morrissey Oil Burner.....	673-27-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model 1000.....	345-31-SA
Morse Fuel Oil Burner.....	820-23-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
Mousette Oil Burner.....	887-25-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Airoil High Pressure Burner.....	185-29-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil Low Pressure Burner.....	186-29-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Stephens Oil Burner, Models No.1 and No. 2	146-33-SA
National Rotary Oil Burner.....	836-25-SA	Stuhler Oil Burner.....	618-27-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Summerheat Oil Burner.....	581-26-SA
New Process Oil Burner.....	1071-27-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Nokol Automatic Burner.....	1078-24-SA	Sun Heat Oil Burner.....	603-29-SA
Nu-Way Oil Burner.....	773-26-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Oilbuilt Burner	85-33-SA	Sunway Oil Burner.....	624-30-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Oronogue Oil Burner.....	394-30-SA	Superfex Oil Burning Heater.....	491-31-SA
Orr Fuel Oil Burner.....	113-26-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Paramount Oil Burner.....	1193-25-SA	Superheat Oil Burner, Model D.....	254-33-SA
Paramount Oil Burner, Model A.....	617-30-SA	Sword Automatic Oil Burner.....	951-25-SA
Pascoe Oil Burner.....	1029-26-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Petro Domestic Burner.....	161-26-SA	Thoroburn Oil Burner, Model A-1-16-G....	269-33-SA
Petro Model T Oil Burner.....	451-31-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Model W Oil Burner.....	452-31-SA	Timken Rotary Oil Burner.....	297-29-SA
Petro Burner, Model O.....	78-28-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Petro Burner, Model P-2.....	735-30-SA	Todd Spiro Oil Burner.....	470-31-SA
Petro Oil Burner, Model W-2	244-33-SA	Todd Spiro Burner (pump type).....	94-32-SA
Petro Oil Burner, Models W-1 and W-1½..	245-33-SA	Toridheet Oil Burner.....	63-28-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	United States Oil Burner.....	620-28-SA
Powerlight Oilheat Burner.....	628-23-SA	Universal Fuel Oil Burner.....	6-24-SA
Preferred Oil Burner.....	372-33-SA	Vaporoil Burner	44-32-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	Vesta Oil Burner.....	451-26-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Victor Oil Burner.....	612-30-SA
Quaker Burnoil Stove.....	11-31-SA	Victory Oil Burner.....	320-30-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Viking Oil Burner.....	396-32-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Volcano Automatic Oil Burner.....	556-29-SA
Rayfield Oil Burner.....	504-26-SA	Volcano Automatic Oil Burner, Model EW-1	341-33-SA
Re-Ly-On Oil Burner.....	745-26-SA	Wayne Oil Burner.....	1155-25-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Remington Oil Burner.....	891-26-SA	Williams Oil-o-matic Fuel Oil Burner, Williams Oil-o-matic, Jr., Models "K", "KA", "KB" and Model "JJ".....	918-22-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
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Rotoflame Oil Burner.....	187-33-SA		
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA		
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA		
S & K Wide Range Fuel Oil Burner.....	10-33-SA		

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	5
Cases filed up to February 14, 1934.....	41	Dismissed	2
Restored to Calendar	13	Denied	12
		Granted	0
		Granted on condition.....	25
		Appliances approved	7
		Appliances dismissed, disapproved or withdrawn....	5
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	39	Requests to reopen granted.....	34
Requests to amend.....	16	Requests to reopen denied.....	3
Requests for modification.....	1	Requests to amend granted.....	16
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	5	Requests for modification granted.....	1
Requests for extension of permit.....	1	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	2	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	5
Requests for interpretation.....	0	Requests for extension of time denied.....	0
Total	330	Requests for extension of permit granted.....	1
Disposed of	120	Requests for extension of permit denied.....	0
Cases pending February 14, 1934.....	210	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	2
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	0
		Requests withdrawn or dismissed.....	2
		Total.....	120

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—
Docket.

Court Decision.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Notice of Postponement of Regular Meetings of
February 20, 1934, at 10 A. M. and 2 P. M.

Minutes of Special Meeting, February 23, 1934, at
10 A. M.

Minutes of Special Meeting, February 23, 1934, at
2 P. M.

Correction.

Approved Burners for Domestic and Commercial Use.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, February 26, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, March 5, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to February 21, 1934.

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected.</i>
49-34-BZ.....	D.B.B.....	550-554 Bedford ave. (Block 2181, Lot 33), Brooklyn. Applic. 13548-33
48-34-SA.....	F.D.....	"Kolrid" Range Oil Burner, Appliance
47-34-BZ.....	D.B.Q.....	32-47 & 32-49 95th st. (Block 1425, Lots 44 & 45), Corona, Queens. N.B. 466-34.
46-34-SA.....	F.D.....	May Oil Burner Type "BB," Appliance
45-34-A.....	D.B.M.....	112-114-116 Bleecker st. (Block 524, Lots 47 & 49), Man., F-8675 & F-8676
44-34-BZ.....	D.B.Q.....	137-02 to 13710 114th ave. (Linden blvd.)—(Block 2785, Lots 7, 8, 9, 10 & 11), Ozone Park, Queens, N. B. 78-34
43-34-BZ.....	D.B.B.....	6522-6524 13th ave. (Block 5753, Lot 46), Brooklyn. Applic. 13284-32
42-34-BZ.....	D.B.B.....	389-395 Empire blvd. (Block 1309, Lot 130), Brooklyn, Applic. 570-34

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

	Last Publication in Bulletin	
Certificate of Occupancy, approved forms.....	Aug.	2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	June	6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	Jan.	9, 1931—Vol. 19 No. 2
Elevator Rules.....	Dec.	12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov.	14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov.	14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept.	26, 1933—Vol. 18 No. 39
Fire Drill Rules.....	May	30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.....	Nov.	28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of.....	..	3, 1934—Vol. 19 No. 7
Frame Garages, Ruling for.....	Jan.	21, 1919—Vol. 4 No. 3
Fuel Oil Rules.....	Jan.	2, 1934—Vol. 19 No. 1
Gas Shut-Off Rules.....	Apr.	7, 1925—Vol. 10 No. 14
Hatchway Protection.....	June	5, 1928—Vol. 13 No. 23
Paint, Varnish and Lacquer Spraying Rules.....	June	13, 1933—Vol. 18 No. 24
Plumbing Rules.....	Nov.	7, 1933—Vol. 18 No. 45
Procedure, Rules of.....	June	20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O. ..	..	13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for.....	Dec.	5, 1933—Vol. 18 No. 49
Sprinkler Rules.....	Jan.	16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules.....	Sept.	26, 1933—Vol. 18 No. 39
Structural Alterations, Reporting.....	June	7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr.	10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	Feb.	13, 1934—Vol. 19 No. 7
Fuel Oil Burners for Domestic and Commercial Use.....	Feb.	27, 1934—Vol. 19 No. 9
Fuel Oil Burners for Industrial Use.....	Jan.	30, 1934—Vol. 19 No. 5
Fuel Oil Pumps.....	Feb.	20, 1934—Vol. 19 No. 8

COURT DECISION

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available.

Matter of Young Women's Hebrew Assn. &c. (Board of Standards and Appeals of City of N. Y. et al and Gelkom Realty Corpn.)—Mr. Justice McCook—Board sustained. Nov. 8, 1934. Board granted application for gas station in business district, under section 21. Cal. No. 249-33-BZ; Premises 1312-1314 5th Avenue, N. W. corner W. 110th St., Manhattan.

CALL OF CLERK'S CALENDAR

MONDAY, FEBRUARY 26, 1934, AT 2 P. M.

Building Zone Cases.

354-33-BZ.
APPLICANT—Joseph B. Schwartz, for Edlar Realty Corp., owner.
PREMISES—Northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

380-33-BZ
APPLICANT—Joseph B. Schwartz, for Frank Teltsch, owner.
PREMISES—475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

376-33-BZ.
APPLICANT—Clifford F. Hart, for Benjamin G. Hitchings Lumber Corp., owner.
PREMISES—3202-3204 Avenue H, south side, Avenue H from East 32d street to New York avenue (Block No. 7578, Lot Nos. 53 and 57), Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop.

373-33-BZ.
APPLICANT—Henry J. Nurick, for Michael Salit, owner.
PREMISES—176-192 Kings highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

357-33-BZ.
APPLICANT—DeRose and Cavalieri, for Ida M. Hewitt, owner.
PREMISES—3349-3357 East Tremont avenue, east side, 75' south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), The Bronx.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the alteration and change of occupancy of a building used as a ga-

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rage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station.

378-33-BZ.

APPLICANT—Rubenstein and Rosling, for Kings Brewery, Inc., owner.

PREMISES—225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of an existing building to a business use (office building).

386-33-BZ.

APPLICANT—Marcus L. Bermann, for Ralph Horton, owner.

PREMISES—Northcast corner of Eastern boulevard and Soundview avenue, thru to Croes avenue (Block No. 3722, Lot No. 18), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

161-33-BZ.

APPLICANT—Frank B. Reardon, for Theodore G. Zeh, owner.

PREMISES—170-07—115th avenue (Block No. 3087, Lot No. 350), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy in part of an existing residence building to a business use; reopened September 26, 1933.

284-32-BZ.

APPLICANT—Arthur H. Haaren, for Rock Jay Realty Co., Inc., owner.

PREMISES—West side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously denied under Section 7f; reopened under section 21 December 27, 1933).

FEBRUARY 27, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 27, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 335-33-BZ—Application, October 30, 1933, under section 21 of the building zone resolution, of Wood and Marshall, applicants, on behalf of Marshall Contracting Co., Inc., owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 5563-5573 Kings highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 and 9), Brooklyn.

CAL. NO. 366-33-BZ—Application, December 4, 1933, under section 7b of the building zone resolution, of Thomas D. Conroy, applicant, on behalf of Marie Whitehurst Conroy, owner, to permit partly in a business district and partly in a residence district, the alteration and change of occupancy of part of an existing building from dwelling to business use; premises 71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

CAL. NO. 77-33-BZ—Application, February 27, 1933, under section 21 of the building zone resolution, of Anthony P. Sorice, Jr., applicant, on behalf of Vincent J. Rcpaci, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

CAL. NO. 198-33-BZ—Application, May 29, 1933; withdrawn July 18, 1933; reopened and restored to Calendar January 3, 1934, under section 21 of the building zone resolution, of John J. Hegarty, applicant, on behalf of Port of New York Authority, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises West side of Haven avenue, 217'4½" north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

CAL. NO. 315-33-BZ—Application, October 6, 1933; dismissed for lack of prosecution, December 27, 1933; reopened and restored to Calendar January 16, 1934, under section 21 of the building zone resolution, of William J. Russell, applicant, on behalf of Russand Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

CAL. NO. 323-33-BZ—Application, October 14, 1933; dismissed for lack of prosecution, January 16, 1934; reopened and restored to Calendar January 30, 1934, under section 21 of the building zone resolution, of G. A. Schonewald, applicant, on behalf of Elgeo Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1934, 2 P. M.

Appeals from Administrative Orders.

371-33-A—Foot of Beach 79th street, north side of Long Island Railroad (Block No. 545, Lot No. 1), Rockaway Beach, Borough of Queens.

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- 385-33-A—387-393 Fourth avenue (Block No. 883, Lot No. 1), Manhattan.
 2-34-A—241-259 Park avenue (Block No. 1301, Lot No. 1), Manhattan.
 18-34-A—39 West 25th street (Block No. 827, Lot No. 14), Manhattan.

Appliance Submitted for Approval.

- 346-33-SA—Goodspeed Oil Burner Nozzle Type II, approval of.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, February 27, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters:*

- CAL. NO. 320-33-BZ—Application, October 13, 1933, under section 21 of the building zone resolution, of John A. Cosgrove, applicant, on behalf of Gottel Radish, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Borough of Richmond.

- CAL. NO. 399-30-BZ—Application, June 18, 1930; denied November 25, 1930; reopened March 17, 1931, under section 21 of the building zone resolution, of William Richter, applicant, on behalf of Sadie Hartwig, owner, to permit in a business district the erection and maintenance of a gasoline service station; granted on certain conditions, April 21, 1931; reopened February 6, 1934, for an amendment to the resolution to permit the inclusion of a three (3) car garage; premises 2808-2818 86th street and 2279-2285 West 8th street, southeast corner (Block No. 7143, Lot No. 88), Brooklyn.

- CAL. NO. 332-33-BZ—Application, October 25, 1933, under section 21 of the building zone resolution of Charles A. Carey, applicant and lessee, on behalf of Whitnobl Corp., owner, to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

- CAL. NO. 313-33-BZ—Application, September 29, 1933, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Isaac Klapper, owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

- CAL. NO. 240-33-BZ—Application, June 29, 1933, under section 21 of the building zone resolution, of Irving Proskauer, applicant, on behalf of John J. Halleran, owner, to permit in a business district the erection

and maintenance of a gasoline service station (December 5, 1933, placed on Reserve Calendar pending full vote of board; restored to Calendar January 30, 1934) premises southeast corner of Nassau boulevard and 250th street (Block No. 4080, part of Lot No. 250), Little Neck, Borough of Queens.

- CAL. NO. 199-33-BZ—Application, June 1, 1933, under section 21 of the building zone resolution, of Lama & Proskauer, applicants, on behalf of William H. Parry, owner, to permit in a business district the erection and maintenance of a gasoline service station (December 5, 1933, placed on Reserve Calendar pending full vote of board; restored to Calendar January 30, 1934) premises northeast corner of 250th street and Nassau boulevard (Block No. 4084, part of Lot No. 200), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 5, 1934, AT 2 P. M.

Building Zone Cases.

368-33-BZ.

APPLICANT—Archie H. Samuels, for Sonsam Corporation, owner.

PREMISES—Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

348-33-BZ.

APPLICANT—Samuel Rosenblum, for Bleitborn Building & Holding Corp., owner.

PREMISES—2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

5-34-BZ.

APPLICANT—Louis I. Becker, for Elsie S. Domville, owner.

PREMISES—15 East 61st street (Block No. 1376, Lot No. 12), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to business use (restaurant).

132-31-BZ.

APPLICANT—Kennedy & Ellner, for Wandil Realty Corp., owner.

PREMISES—Northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to Calendar November 21, 1933).

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33-BZ.

APPLICANT—Andrew Havrylok, owner.

REMISES—Southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

PERMIT in a business district the erection and maintenance of a gasoline service station.

33-BZ.

APPLICANT—Andrew Yablonsky, owner.

REMISES—Southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

PERMIT in a business district the erection and maintenance of a motor vehicle repair shop.

34-BZ.

APPLICANT—Kennedy & Ellner, for Wardell Holding Corporation, owner.

REMISES—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

PERMIT in a business district the erection and maintenance of a gasoline service station.

4-33-BZ.

APPLICANT—Joseph S. Gershman, for Maphi Realty Co., Inc., owner.

REMISES—Northeast corner of Hillside avenue and Chelsea road (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

PERMIT in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

34-BZ.

APPLICANT—William Shary, for Estate of Jonas Weil, owner.

REMISES—229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot Nos. 49, 50, 51 and 13), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

PERMIT in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles, which is located in an unrestricted district.

MARCH 6, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 6, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 20-28-BZ—Application, January 10, 1928; denied September 25, 1928; reopened November 21, 1933, under section 21 of the building zone resolution, of Philip Freshman, applicant, on behalf of Markus Siegelman, owner, to permit in a residence district the change of occupancy of an existing building to

business use (store); premises 99-105 Prospect Park, southwest, northwest corner of 16th street (Block No. 5259, Lot No. 22), Brooklyn.

CAL. NO. 457-30-BZ—Application, June 27, 1930; withdrawn October 21, 1930; reopened September 12, 1933, under section 21 of the building zone resolution, of Frank Caraccia, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Borough of Richmond.

CAL. NO. 362-33-BZ—Application, November 27, 1933, under section 21 of the building zone resolution, of John E. Sexton, applicant, on behalf of Rose Held, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 195 Graham avenue and 149-155 Scholes street, northwest corner (Block No. 3034, Lot No. 27), Brooklyn.

CAL. NO. 381-33-BZ—Application, December 22, 1933, under section 21 of the building zone resolution, of Chas. M. Lobejager, applicant, on behalf of George Rubin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Roosevelt avenue, 466 ft. west of 103rd street (Block No. 1770, Lot Nos. 60, 62, 64 and 65), Corona, Borough of Queens.

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 6, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, March 6, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters:*

CAL. NO. 451-32-BZ—Application, August 16, 1932; denied January 13, 1933; reopening for reconsideration for a reduced plot and for a temporary period denied June 9, 1933; remitted to the Board by order of Court, January 5, 1934; application of William I. Alpert, on behalf of Church & 94th Street Corp., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and

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maintenance of a gasoline service station for a temporary period on a smaller plot; premises 9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Brooklyn.

CAL. NO. 317-33-BZ—Application, October 11, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Dickel Construction Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 374-33-BZ—Application, December 7, 1933, under section 21 of the building zone resolution, of John H. Seheier, applicant, on behalf of Manufacturers Trust Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2400-2412 Flatbush avenue, northwest corner of Avenue T (Block No. 8528, Lot Nos. 1 and 72), Brooklyn.

CAL. NO. 116-33-BZ—Application, March 27, 1933; denied June 27, 1933; request for reopening withdrawn July 18, 1933; reopened January 26, 1934, for reconsideration under new facts, under sections 7e and 21 of the building zone resolution, of Arthur F. Lamanda, applicant, on behalf of Katherine Alberti, owner, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ; premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

CAL. NO. 872-28-BZ—Application, November 14, 1928, under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building (stores); granted on certain conditions, April 2, 1929; application of Eugene De Rosa, Inc., on behalf of John A. McCarthy, owner, reopened February 6, 1934, under section 21 of the building zone resolution, to permit the alteration and reconstruction of a portion of these stores into a motion picture theatre; premises 2311 Grand Concourse, northwest corner of East 183d street (Block No. 3164, Lot No. 31), The Bronx.

CAL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 12, 1934, AT 2 P. M.

Building Zone Cases.

327-33-BZ.

APPLICANT—Harold J. Crawford, for Nora Eberhardt, owner.

PREMISES—21-17 30th avenue (Block No. 99, Lot No. 7), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building.

14-34-BZ.

APPLICANT—John F. Mcchan, for Isaac D. Reynolds, owner.

PREMISES—101-15 Astoria avenue, northwest corner of 29th avenue (Columbus boulevard) and McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

53-30-BZ.

APPLICANT—Jacob Rudd, for Metropolitan Savings Bank, owner.

PREMISES—97-107 Kenmare street and 15 Cleveland place, northeast corner (Block No. 481, Lot No. 7), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened October 10, 1933).

148-33-BZ.

APPLICANT—Kennedy & Ellner, for Noviak Holding Corp., owner.

PREMISES—Southwest corner of Hollis avenue and Cross Island boulevard (Block No. 1882, Lot No. 106), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar January 3, 1934).

512-31-BZ.

APPLICANT—George Tiernan, for Regina Boulevard Corp., owner.

PREMISES—Southeast corner of Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar November 14, 1933).

24-34-BZ.

APPLICANT—Goldie Harris, owner.

PREMISES—3117-3127 Surf avenue, northeast corner of West 32nd street (Block No. 7049, Lot Nos. 51, 53 and 58), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

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TO PERMIT the extension from a business district into a residence district of a proposed theatre and store building.

07-31-BZ.

APPLICANT—Archie H. Samuels, for Ben S. Michaelson, owner.

PREMISES—Northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar February 6, 1934).

343-33-BZ.

APPLICANT—Milton Kaplan, for Milton Kaplan and Katie Baum, owners.

PREMISES—1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

MARCH 13, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 13, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 356-33-BZ—Application, November 21, 1933, under sections 7c and 21 of the building zone resolution, of Jack Fein, applicant, on behalf of Enmor Realty Corporation, owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a business building (stores); premises 1919-1929 Avenue V and 2628-2632 Ocean avenue, northwest corner (Block

No. 7352, Lot Nos. 41 and 42), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MARCH 20, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 20, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 308-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Jacob E. Hurwitz, applicant, on behalf of Alice Fadool, owner, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use; premises 195 Prospect Park, West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MARCH 27, 1934, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 27, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 97-30-BZ—Application, February 7, 1930, under section 21 of the building zone resolution, of Charles Tolleris, applicant, on behalf of 5612 18th Avenue Realty Corp., owner, to permit in a business district the installation of a gasoline service station (previously granted April 22, 1930, for a motor vehicle repair shop for minor repairs, which variation superseded the grant of February 3, 1925, under Cal. No. 1266-24-BZ, for a milk distributing station); premises 5612-5614 18th avenue (Block No. 5493, Lot No. 40), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

NOTICE

The meetings which were scheduled for Tuesday, February 20, 1934, at 10 a. m. and 2 p. m., were adjourned to Friday, February 23, 1934, at 10 a. m. and 2 p. m., respectively.

MINUTES

BOARD OF STANDARDS AND APPEALS.

SPECIAL MEETING

FRIDAY MORNING, FEBRUARY 23, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Wednesday morning, February 14, 1934, and the minutes of the regular meeting the board held on Wednesday afternoon, February 14, 1934, were approved as printed in Bulletin No. 8, Vol. XIX.

BUILDING ZONE CASES.

451-32-BZ.

APPLICANT—William I. Alpert, substituted for Michael Levine, for Church & 94th Street Corp., owner.

SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station for a temporary period on a smaller plot (previously denied for larger plot remitted to board by the court for a rehearing on smaller plot; reopened January 23, 1934).

PREMISES AFFECTED—9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Brooklyn.

APPEARANCES—

For Applicant: William I. Alpert, Charles Goodman, George B. North.

For Opposition: Nathan Newman, Harry Barron.

ACTION OF BOARD—Laid over to March 6, 1934, at 2 p. m., for report of committee on inspection. No further argument.

317-33-BZ.

APPLICANT—Edward L. Kelly, for Dickel Construction Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Edward L. Kelly, B. C. Schaefer.

For Opposition: Mrs. May Ravin.

ACTION OF BOARD—Laid over to March 6, 1934, at 2 p. m., for report of committee on inspection. No further argument.

308-33-BZ.

APPLICANT—Jacob E. Hurwitz, for Alice Fadool, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use.

PREMISES AFFECTED—195 Prospect Park, west, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

APPEARANCES—

For Applicant: Jacob E. Hurwitz.

For Opposition: None.

ACTION OF BOARD—Laid over to March 20, 1934, at 10 a. m., on request of applicant.

374-33-BZ.

APPLICANT—John H. Scheier, for Manufacturers Trust Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2400-2412 Flatbush avenue northwest corner of Avenue T (Block No. 8528 Lot Nos. 1 and 72), Brooklyn.

APPEARANCES—

For Applicant: John H. Scheier.

For Opposition: None.

ACTION OF BOARD—Laid over to March 6, 1934, at 2 p. m., for report of committee on inspection. No further argument.

116-33-BZ.

APPLICANT—Arthur F. Lamanda, for Katherine Alberti, owner.

SUBJECT—Application (re decision of the superintendent of buildings), under sections 7e and 21 of the building zone resolution, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles, granted by the board under Cal. No. 304-30-BZ (previously denied; reopened January 26, 1934).

PREMISES AFFECTED—50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

APPEARANCES—

For Applicant: Arthur F. Lamanda.

For Opposition: Louis A. Jackson.

ACTION OF BOARD—Laid over to March 6, 1934, at 2 p. m., on request of attorney for opposition. Final disposition.

339-33-BZ.

APPLICANT—Martin J. Ort, for Otnas Realty, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—14-57 29th avenue, northwest corner 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Martin J. Ort.

For Opposition: J. E. Dunningham.

ACTION OF BOARD—Application withdrawn prior to hearing.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4

Negative 0

Absent: Assistant Chief Kidney..... 1

528-28-BZ.

APPLICANT—Albert M. Yuzzolino, for Sarah A. Sweedler, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business district, extending from an unrestricted district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

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PREMISES AFFECTED—442-452 89th street and 8902 Fifth avenue (Block No. 6066, Lot No. 26), Brooklyn.

APPEARANCES—

For Applicant: Albert M. Yuzzolino.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION AND EXTEND TIME:

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(528-28-BZ)

WHEREAS, this application, affecting premises 442-452 89th street and 8902 Fifth avenue (Block No. 6066, Lot No. 26), Borough of Brooklyn, was granted by the board at its meeting December 14, 1928, on certain conditions, and extensions of time granted, the last extension being to February 28, 1933, and applicant requests a further extension of time.

Resolved, that the resolution adopted by the board December 14, 1928, be amended so that it will read, in part, as follows: "all work involved hereby shall be completed within eighteen (18) months from the date of this action or August 23, 1935; the resolution to be complied with in all other respects."

589-31-BZ.

APPLICANT—Request for reopening made by Arthur H. Beil, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—159-01 to 159-03 114th avenue (Linden boulevard), northeast corner of 159th street and 159-02 to 159-04 Meyer avenue (Block No. 2958, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur H. Beil.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(589-31-BZ)

WHEREAS, this application, affecting premises 159-01 to 159-03 114th avenue (Linden boulevard), northeast corner of 159th street, and 159-02 to 159-04 Meyer avenue (Block No. 2958, Lot No. 1), Jamaica, Borough of Queens, was granted by the board at its meeting March 4, 1932, on certain conditions, and applicant requested an extension of time to complete the work.

Resolved, that the resolution adopted March 4, 1932, be amended only so far as it refers to the obtaining of permits and the completion of the work, so that as amended this clause will read "that in view of statement by applicant that all permits have been obtained, that all work involved thereby shall be completed within one year from the date of this amended resolution, the resolution to be complied with in all other respects."

241-33-BZ.

APPLICANT—Edward L. Kelly, for The New York Association for the Blind, owner.

SUBJECT—Application for approval of plans in accordance with resolution adopted by the board December 5, 1933.

PREMISES AFFECTED—875-881 Fourth avenue, northeast corner of 33d street (Block No. 681, part of Lot No. 1), Brooklyn.

APPEARANCES—

For Applicant: Harrison Schock.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(241-33-BZ)

WHEREAS, this application affecting premises 875-881 Fourth avenue, northeast corner of 33d street (Block No. 681, part of Lot No. 1), Brooklyn, was granted by the board December 5, 1933, on certain conditions, and applicant submitted plans for approval, showing a requested amendment to the resolution.

Resolved, that the resolution adopted by the board on December 5, 1933, be amended, permitting the roofs to be constructed of wood beams and wood boarding; on condition that the ceilings throughout shall be fire-retarded in accordance with the rules of the board of standards and appeals, that the roof surfacing shall be of incombustible materials; that no signs shall be placed on the wall facing on 33d street; that all signs placed on buildings where indicated on plans shall be permanently fixed and not temporary; that if greasing lifts are installed and no greasing pits constructed, the doors at the fronts of the greasing lift enclosures may be of wood construction of the overhead type; that other than as amended herein, the resolution of December 5, 1933, shall be complied with in all respects;

Resolved further that the plans filed, stamped received February 16, 1934, are hereby approved as complying with the requirements of the amended resolution.

APPEAL FROM ADMINISTRATIVE ORDER.

159-33-A.

APPELLANT—Larry Meltzer, for Graham Brake Service Corp., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—653 First avenue (Block No. 943, Lot No. 30), Manhattan.

APPEARANCES—

For Appellant: None.

For Administration: None.

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ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(159-33-A)

WHEREAS, the foregoing appellant has filed with the

board of standards and appeals an appeal from an order and decision of the fire commissioner, affecting premises 653 First avenue (Block No. 943, Lot No. 30), Borough of Manhattan; and

WHEREAS, the appellant has failed to complete his papers though duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

Adjourned, 12:45 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

SPECIAL MEETING

FRIDAY AFTERNOON, FEBRUARY 23, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES

872-28-BZ.

APPLICANT—Eugene De Rosa, for John A. McCarthy, owner.

SUBJECT—Application (re decision of the commissioner of bldgs.) under section 21 of the building zone resolution, to permit in a residence district, extending into a business district, the alteration and reconstruction of a portion of stores (previously granted by the Board) into a motion picture theatre (reopened February 6, 1934).

PREMISES AFFECTED—2311 Grand Concourse, northwest corner of East 183rd street (Block No. 3164, Lot No. 31), The Bronx.

APPEARANCES—

For Applicant: Eugene De Rosa, James F. Brennan.

For Opposition: Nathan Mandel, Philip Wellins, Jacob Lazerus.

ACTION OF BOARD—Laid over to March 6, 1934, at 2 p. m., for report of committee on inspection. No further argument.

293-33-BZ.

APPLICANT—William F. Doyle, for Abraham Halperin, owner.

SUBJECT—Application (re decision of the commissioner of bldgs.) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—758-766 Utica Avenue, west side, 175 ft. 2 in. south of Lenox Road (Block No. 4655, Lot No. 16) Brooklyn.

APPEARANCES—

For Applicant: William F. Doyle, Abraham Halperin.

For Opposition—Ralph G. Albreeht, Lester G. Rubinstein, David Harrison, Mr. Kravitz.

ACTION OF BOARD—Laid over to March 6, 1934, at 2 p. m., for report of committee on inspection. No further argument.

321-33-BZ.

APPLICANT—Hyman & Segall, for Pennbrook Realty Co., Inc., owner.

SUBJECT—Application (re decision of the Commissioner of Bldgs.) under Section 21 of the Building Zone Resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Oak Avenue and Jamaica Avenue (Block No. 1096, Lot No. 19), Flushing, Queens.

APPEARANCES—

For Applicant—William Hyman.

For Opposition—Francis Finkehorn.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commrs. Peppe, Savage and Blum and Assistant Chief Kidney 5

Absent 0

THE RESOLUTION—

(321-33-BZ)

WHEREAS, Hyman & Segall, for Pennbrook Realty Co., owner, filed October 13, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises; southwest corner of Oak Avenue and Jamaica Avenue (Block No. 1096, Lot No. 19), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, February 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica Avenue is in a business district; that Oak Avenue is in a business and residence district; and that Crommelin Street is in a business district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered October 1, 1933, re. Plan No. 1063-1933, reads:

"The erection of a gasoline station in a business district is prohibited by the Zone Law.

Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Oak Street and 100 ft. on Jamaica Avenue, upon which it is proposed to erect a one story office, 10 ft. by 10 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a Committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

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REPORT OF COMMITTEE ON INSPECTION.

Re: Cal. No. 321-33-BZ.

Premises: S. W. Cor. Oak ave. & Jamaica ave. (now known as Kissena boulevard)—(Block No. 1096, Lot No. 19), Flushing, Queens.

The site under appeal is in a business district on the southwesterly side of Kissena boulevard at the southerly corner of Oak avenue with dimensions approximately 100 ft. x 100 ft.

Most of the frontage is vacant as well as the property to the southwest toward the Flushing Meadows. Toward the northeast there is quite a development of private houses and Kissena Park is nearby.

There are gasoline stations at the junction of Kissena boulevard and Horace Harding or Nassau boulevard about one mile to the southeast, and northerly there are three gasoline stations within five or six blocks.

There have been filed twenty-one objections mainly from property owners on Oak avenue, but also including the adjoining owner to the southeast, and several on Kissena boulevard. One consent is filed by the owner of the adjacent corner who acquired the property presumably for an automobile salesroom. The representative of the mortgage holder on this consenter's property objects to this appeal and states that they expect to have to take the property back.

In the opinion of the Committee which inspected the premises under appeal on February 8th, 1934, no hardship has been shown. That it would be an error to permit a gasoline station at this point; that it would depreciate surrounding developed residential properties; that there are sufficient gasoline stations within accessible locations; that the Board was correct in refusing to permit a gasoline station on the triangular block to the southeast, under Calendar Number 689-27-BZ, and that the development since that case and the proposed improvement of Kissena Park, and the possible widening of Kissena boulevard indicate that public welfare would not be served by granting this appeal, particularly as other corners nearby equally as well situated, would have justifiable claims for similar consideration.

The Committee recommends denial.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT C. PEPPE,

BERNARD A. SAVAGE,

Committee of Inspection.

and

WHEREAS, this report recommended that the application be denied.

Resolved, that the decision of the Commissioner of Buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

331-33-BZ.

APPLICANT—Emil Guterman, for Litvin Holding Corporation, owner.

SUBJECT—Application (re decision of the com'r. of bldgs.) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and Lot No. 48), Brooklyn.

APPEARANCES—

For Applicant: Emil Guterman.

For Opposition: Milton Olsham.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT:

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(331-33-BZ)

WHEREAS, Emil Guterman, for Litvan Holding Corp., owner, filed October 19, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: 1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, February 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East New York avenue is in a business district; that Pitkin avenue is in a business district; that Eastern parkway is in a business and residence district; and that Tapscott street is in a residence district; and

WHEREAS, the decision of the commission of buildings, rendered October 2, 1933, re Applic. No. 11256-1933, reads:

"Proposed conversion of present buildings to a gasoline station in a business district in violation of Zone Resolution, Art. 2, Sec. 4, par. 29-46."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. on Pitkin avenue, 96 ft. on East New York avenue and a distance of 163 ft. along the west lot line. Upon the Pitkin avenue front of the plot are located four (4) two-story and basement brick buildings; now occupied as brake testing, auto laundry, accessory store and office—all on the basement stories of the buildings. The upper stories are vacant and are to remain vacant. Access to these uses on the basement story is from the East New York avenue frontage of the plot. Upon the westerly East New York frontage of the plot are located grease pits and on the easterly portion is located a brick, one-story motor vehicle repair shop granted by the Board under Cal. No. 555-26-BZ. Also, two 550 gallon gasoline tanks were installed under approved Fire Department plans to be used in connection with the conduct of the business on the premises and no gasoline to be sold to outside trade. It is proposed to remove part of the existing grease pits and to install additional tanks and pumps and to create a gasoline service station on the East New York avenue front of the plot; also, it is proposed to install the necessary tanks and pumps to create a gas station on the Pitkin avenue front of the premises in that (now) vacant space lying between the building line and the existing buildings on the Pitkin avenue front of the plot. According to plans, this space is 10 ft. deep and about 65 ft. long; and

WHEREAS, this application was the subject of an inspection, which inspection was made by a Committee of the Board and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 331-33-BZ.

Premises: 1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34 and 35 and 48), Borough of Brooklyn.

The property under appeal is an interior plot, running through from Pitkin avenue to East New York avenue, with a frontage of eighty feet on Pitkin avenue and ninety-six feet on East New York avenue, with an average depth of 120 feet.

On the Pitkin avenue front there are four two-story and basement buildings formerly used as single family residences. The grade of Pitkin avenue is approximately eleven feet higher than East New York avenue. By removing the former basement floor beams and by constructing a mezzanine gallery at the approximate grade of Pitkin avenue as well as removal of the rear walls, the cellars have been made available for automobile servicing at the level of East New York avenue. The entire yard area through to New York avenue is

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now used for such purposes including a small repair shop which is located at the southeast corner at 1255 East New York avenue, now known as 1251, zoning variance for which was granted by the Board under Cal. No. 555-26-BZ, for a limited use as a motor vehicle repair shop with manual tools only. Other than this small motor vehicle repair shop, which, however, is now equipped with motor driven tools, contrary to the variance granted, the plant as a whole is equipped for greasing, auto-laundry, battery charging, fender repairing, acetylene burning and welding, painting and ducoing and general automobile repairing with motor driven machinery, sales of tires and accessories and sale of gasoline.

Signs attached to the building advertise these services, there being on the Pitkin avenue side, a sign approximately two stories in height and for the full width of the four buildings advertising these non-conforming uses. Free air for tire inflation is also provided on the Pitkin avenue front.

The committee of inspection found the above listed services available on their inspection, February 8, 1934, and in addition, found that the upper stories of those buildings alleged to be not occupied on the 1st and 2nd floors to be occupied as a lawyer's office, store rooms, locker rooms and wash-rooms. Two gasoline pumps and two portable pumps were in use and the driver of the gasoline truck engaged in filling storage tanks stated that he delivered gasoline at the rate of 250 gallons a day.

This appeal is for the purpose of legalizing, by means of a variance of the Zoning Resolution sought from this Board, the maintenance of a gasoline service station, not only on the East New York avenue frontage but also on the Pitkin avenue frontage, where two pumps are shown to be located against the front wall of the buildings which wall is about ten feet back from the building line. The stoops have been removed and the areas filled in and concreted.

It is not disclosed why the Board is not also requested to legalize the remaining non-conforming uses existing. It is claimed that certain permits have been obtained, namely, from the Fire Department. (Permit No. 3959-32) for two 550 gallon gasoline tanks for filling owners private cars stored on the premises. Automobile repair shop, (Permit No. 14692-26), automobile greasing permit No. 111.58-27. Also that plans were approved by the superintendent of buildings for the structural changes to the building and to the present occupancy with the upper floors remaining vacant, permitting the premises for an auto laundry, accessory store and brake testing. This latter is a non-conforming use. No mention is made of the approval of the superintendent of buildings, also permitting motor vehicle repairing, painting and acetylene burning, which are also carried on in these buildings.

It is claimed that hardship exists because the buildings could not be used for other purposes and cites non-conforming uses adjacent. Investigation discloses several gasoline stations nearby, only one of which namely, the N. E. corner of Eastern parkway and Pitkin avenue is there by action of this Board, under Cal. No. 628-27-BZ, and the Board has denied a repair shop at 1239 East New York avenue, 83-28-BZ, and the Board's action was sustained by the Court. A garage was denied under Cal. No. 668-30-BZ at 1408-1414 Pitkin avenue. Whatever other non-conforming uses exist are apparently there prior to zoning restrictions or illegally.

Pitkin avenue is given over to a considerable degree on this block to automobile uses. It has ceased to be residential and is zoned for business use. The premises under appeal have, in the opinion of the committee disfigured and depreciated the block and caused hardship on the adjoining owners on Pitkin avenue because of the objectionable sign advertising non-conforming uses and particularly because as the buildings are used, a

serious fire menace exists. Owners opposite the East New York avenue frontage are strenuously in objection on several counts, and refer to a complaint involving automobile repairing with one of the owners being found guilty of being a public nuisance at Special Sessions in October, 1931.

It is claimed by the objectors that the premises are subject to violation placed by the Fire Department and a violation placed by the Building Department. The applicant states that because of these violations, they are now operating without a permit.

The committee are of the opinion that no hardship has been proven; that hardship to adjoining owners has already been caused by this owner in conducting non-conforming uses on the premises in defiance of law and maintaining an establishment which is a fire menace and recommend that the application be denied.

(Signed) H. H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

VINCENT C. PEPPE,

Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied.

RESOLVED, that the decision of Commissioner of Buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

273-33-BZ.

APPLICANT—Goldwater & Flynn and Samuel Rosenblum, for R. V. W. Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, Part of Lot No. 72), The Bronx.

APPEARANCES—

For Applicant, Samuel Rosenblum.

For Opposition—Fred Rullman, A. J. Gallagher.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commrs. Peppe, Savage and Blum and Assistant Chief Kidney 5

Absent 0

THE RESOLUTION—

(273-33-BZ)

WHEREAS, Goldwater & Flynn & Samuel Rosenblum, for R. V. W. Realty Corp., owner, filed August 15, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: west side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, February 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boscobel avenue is in a business district; that Boscobel place is in a business and residence district; that Ogden avenue is in a business district; that University avenue is in a business district; and that Plimpton avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 3, 1933, re. Applic. No. N.B. 170-1933, reads:

"2. Erection of building and maintenance of premises in business district for use of gasoline service

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station is contrary to the provisions of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 113 ft. on Boscobel avenue, a maximum depth of 60 ft. and a distance of 105 ft. along the next lot line—upon which it is proposed to erect an "L" shaped, one-story structure, 40 ft. by 51 ft., to be used for office, wash stand and grease racks and also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a Committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal No. 273-33-BZ.

Premises: West side of Boscobel avenue, 40 ft. south of Boscobel place (Block No. 2522, part of Lot No. 72), Borough of The Bronx.

The variance of the use provisions of the Zoning Resolution requested in this case is for a gasoline service station on a plot with a frontage of 113 ft. on the westerly side of Boscobel avenue and with a varying depth averaging approximately 50 ft. The plot is a portion of a larger area of approximately four times the area of the portion under appeal, with a total frontage on Boscobel avenue of 273 ft. and extending through to Ogden avenue, all zoned for business use.

The property is close to the plaza at the easterly terminus of Washington Bridge, where University avenue, Ogden avenue, Boscobel avenue, which has been widened at great expense, and West 172nd street intersect. Due to the recent widening of Boscobel avenue, which is a main artery from Washington Bridge southerly to Jerome avenue, considerable land was taken by the City from the property of which the plot under appeal is a part and an award of \$115,000, has been made of which \$45,000, has been paid as against the purchase price of \$210,000 five years ago. The property remaining when the award is fully paid will stand at \$95,000 plus taxes and mortgage interest. The plot under appeal is approximately one-quarter of the total area with approximately 40 per cent. of the Boscobel avenue frontage. The entire plot is now considerably above grade and a large amount of ledge rock must be removed before the property can be put to any use. The grade of Ogden avenue in the rear is at a higher elevation than Boscobel avenue. Boscobel avenue is at a down grade past the property of about 6 per cent.

Adjoining on the north is the monumental building of the Bronx County Trust Company. On Ogden avenue the westerly side is fully developed with apartments and stores. Across Boscobel avenue at the corner of West 172nd street is a Sobol Brothers Standard Oil gasoline station, in existence prior to the amendment of 1925 prohibiting gasoline stations in business districts, but materially improved by a new modern structure since that date, presumably under a permit granted by the superintendent of buildings. On this site the board denied a zoning variance for a public garage under calendar number 730-23-BZ. Southerly on both sides of Boscobel avenue the properties are generally in the condition to be expected after a street widening. The owners are awaiting the payment of awards to carry through alterations and improvements. Several non-conforming uses, existing before the widening, have been eliminated thereby. The section, however, is not deprived of gasoline service. In addition to the Sobol Brothers station, there are at least eight at the foot of the hill near Jerome avenue and others on or near Jerome avenue, reached through 170th street.

There have been filed twelve objections of nearby property owners and letters from the Bronx Real Estate Board and a local Civic Association, pointing out that this thoroughfare, widened at great expense to the City, should not be marred by another gasoline station and that depreciation of property values would be caused.

It appears that an officer of the owning corporation has joined other property owners in a petition against establishing gasoline stations on Boscobel avenue; that the holder of a junior interest in the first mortgage and also a second mortgage taken for unpaid interest and taxes of the premises under appeal and who also owns property on the east side of Boscobel avenue is in objection, claiming that he has more at stake in the property under appeal than the equity owners. Plans for a theatre have been under consideration but abandoned and plans for a one and two story store and office building have been published but are apparently in abeyance. Financial set-ups for an apartment building and also for a taxpayer were filed at the hearing but are not conclusive, partly because the land value named is far in excess of the cost of portion of the plottage under appeal and partly because the rentals given are seriously disputed as being far too low by objecting property owners.

The Committee of the Board which inspected this site on February 8th, 1934, are of the opinion that no need exists for additional gasoline stations and that on this widened thoroughfare none should be permitted on property so well situated and available for conforming uses; that hardship that would be caused adjoining owners and the holder of mortgages on this plot far out-balances any possible gain to this owner; that the City of New York would ultimately suffer, as a gasoline station on this site would tend to prevent taxable building developments from being erected nearby; that hardship has not been proven and that public interest requires that this application be denied. The Committee so recommends.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT C. PEPPE,

BERNARD A. SAVAGE,

Committee on Inspection.

and

WHEREAS, this report recommends that the application be denied.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

242-33-BZ.

APPLICANT—Edward V. McKeown, for 1351 Boscobel avenue Corp., owner.

SUBJECT—Application (re decision of the commissioner of bldgs.) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

APPEARANCES—

For Applicant: William P. Covington.

For Opposition: Fred Rullman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commrs. Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

MINUTES

THE RESOLUTION—

(242-33-BZ)

WHEREAS, Edward V. McKeown, for 1351 Boscobel avenue Corp., owner, filed June 30, 1933, an application under the building zone application to permit in a business district the erection and maintenance of gasoline service station; premises: Southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, February 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boscobel avenue is in a business district; that West 170th street is in an unrestricted, business and residence district; that Shakespeare avenue is in a residence and business district; and that Cromwell avenue is in an unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 29, 1933, re. Applic. N.B. 133-1933, reads:

"1. Erection of building and maintenance of premises in a business district for occupancy as a gasoline service station is contrary to provisions of Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 53.6 ft. on Boscobel avenue, 36 ft. on West 170th street and a distance of 104 ft. along the West lot line—upon which it is proposed to erect a one story office, 14 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a Committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 242-33-BZ.

Premises: Southwest corner of Boscobel avenue and West 170th street (Block No. 2506, Lot Nos. 127, 129, 130 and 131), The Bronx.

The variance sought in this case is for a gasoline service station on an irregular piece of property located on Boscobel avenue and West 170th street. Boscobel avenue was recently widened and the buildings on the former frontage, together with buildings on the south, owned by others are either entirely or partially demolished, due to this street widening. At this point Boscobel avenue has an uphill grade, which grade is estimated by the applicant at 6 per cent. West 170th street at this point also has an upgrade.

The plot in question has a small area with a frontage of 36 feet on West 170th street and 53.59 feet on Boscobel avenue, with a narrow extension running to the rear of the adjacent houses on Boscobel avenue. In order to obtain this frontage of 36 feet on West 170th street, it would be necessary to demolish the easterly half of a two family frame building now partially located on the adjoining plot to the west and partially on the plot in question.

In the opinion of the committee which inspected these premises on February 8th, 1934, this plot is too small for a gasoline station and the establishing of such a station would be a serious menace to the existing frame structures to the west and south. While those Boscobel avenue structures adjacent are now partially demolished, it was stated at the hearing that they would be remodeled and made usable.

Owing to the grade of Boscobel avenue and West 170th street at this point a gasoline service station would form a hazard to the public and further, there is no need for a gasoline station in the area. In addition to the station at Boscobel avenue and Nelson avenue there are at least 8 gasoline service stations

available toward the intersection of Boscobel and Jerome avenues and a few blocks to the south, and several garages that sell gasoline, directly to the north of the property near Cromwell avenue and Jerome avenue and near Cromwell avenue and 170th street.

In the opinion of the committee this entire section is amply supplied with gasoline service stations and to add more would further deteriorate the area. In the case of Werner vs. Walsh, the court ruled that the board should exercise regulation, and the committee believes that this principle should apply in this case, particularly as they could find no conditions to justify the zoning variance requested or that public health and safety and the general welfare would be secured by granting this application.

The applicant claims that he has suffered hardship because of the widening of Boscobel avenue, which interrupted his plan to acquire additional property so as to have a site for an apartment house. It appears that the award for the property condemned is in the sum of \$40,000, and while this has not as yet been paid, it would appear that on the payment of this amount, he would still have remaining usable property for the purpose intended, by acquiring additional land to the west.

The committee cannot find that hardship has been proven and recommends the denial of the application.

(Signed) H. H. MURDOCK,

Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommended that the application be denied.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

344-33-BZ.

APPLICANT—Samuel Rosenblum, for Parkville Amusement Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7a, 7c and 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a recreation centre.

PREMISES AFFECTED—1048-1072 Ocean parkway, W.S., 380 ft. So. of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: M. S. Gottesman, Paul T. Schuman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(344-33-BZ)

WHEREAS, Samuel Rosenblum, for Parkville Amusement Corp., owner, filed November 10, 1933, an application under the building zone application to permit in a residence district the erection and maintenance of a recreation centre; premises: 1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, February 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

MINUTES

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean parkway is in a residence district; that Avenue K is in a residence district; that Avenue J is in a residence district; and that East 5th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 25, 1933, re. Applic. No. 12716-1933, reads:

"Proposed recreation centre to be located in a residential district is contrary to Art. II, Sec. 3 of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 221 ft. on Ocean parkway and 160 ft. on East 5th street; upon which is located a two-story frame structure, irregular in shape and having an area of approximately 3,900 square feet. It is proposed to demolish this structure and to erect a two-story and attic brick structure, 84 ft. by approximately 100 ft. irregular in area. To be occupied as a club house and recreation center. The remainder of the plot is occupied by tennis courts, etc.; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Re: Cal. No. 344-33-BZ.

Premises: 1048-1072 Ocean parkway, W.S., 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Borough of Brooklyn.

The plot under appeal is located in a district zoned for residence, on the west side of Ocean parkway, 380 ft. south of Avenue J. It extends through to East Fifth street. The plot has a frontage of approximately 221 ft. on Ocean parkway, approximately 160 ft. on East Fifth street, and a depth of 250 ft. Washington Cemetery bounds the plot on the south and also makes East Fifth street a dead end street.

For many years this plot has been used as a recreation centre for which charges are made for use of the facilities, which include tennis courts, and ice skating outdoors, and within the existing one story frame structure located on Ocean parkway and near the Cemetery line, bowling, ping pong and other games, and also a small cafeteria which under limiting conditions was permitted by a resolution of the Board under Cal. No. 350-24-BZ for the sale of soda water and candy.

It is apparently undisputed that the business use to which the plot and the building is being put, existed prior to the passage of the zoning resolution. It was established by the Real Estate Development Company about 1914 and has been used continuously since. It was apparently recognized as an existing non-conforming use by the Board under Cal. No. 350-24-BZ.

The proposal now is to demolish the one story frame building and erect a two story brick building on the same location, but covering approximately twice the present building area, at a cost of approximately \$40,000, so as to provide a modern structure for indoor games, adequate locker and dressing rooms and a small cafeteria. The owner states that he has no beer or liquor license, and does not intend to apply for any, and that no beer or liquor is sold on the premises.

There have been filed twenty-four objections and ten consents, and a protesting letter from a Local Civic Association. The objectors are mainly residents in the rear on East Fifth Street. The present owner who resides nearby on Ocean parkway is among those consenting.

It is difficult to analyze the reasons for the protests of the objectors. The existing use is there by right. This Board can prevent enlargement or reconstruction of the building and extension of non-conforming uses.

A committee of the board has observed the premises on several occasions since this appeal was filed, and on February 8, 1934, made a careful inspection of the building and its appointments, and could see nothing that could be criticized with the possible exception that a lunch counter where food was prepared and sold, exceeded the permitted use under Cal. No. 350-24-BZ. There were many children present, apparently nearby residents who were skating and playing indoors. An inquiry at the district police station disclosed that the reputation of the place was satisfactory.

The entire area is fenced in and well maintained. The existing building is poorly constructed, and a new well appointed building would be an improvement.

The committee are of the opinion that while no hardship has been shown under Section 21, that under Sections 7a and 7c, the Board would be entirely justified in granting the application provided the requirements of the zoning resolution as to height and area are complied with as well as all requirements of law as to construction, and as a place of public assembly. The committee recommends that the ice cream parlor and kitchen be limited in area, and as to nature of refreshments sold, and that no refreshments be served except in the ice cream parlor; that all second story roof gardens and porches be eliminated; that no signs be exhibited on the exterior of the premises and that such other conditions be imposed as will maintain the residential character of the neighborhood, and carry out the spirit of the zoning resolution as to residential restrictions.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT C. PEPPE,

BERNARD A. SAVAGE,

Committee of Inspection.

and

WHEREAS, the board deemed that applicant was entitled to relief and recommended the granting of this application.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under Sections 7(a) and 7(c) *on condition* that the site, with a frontage of 221 ft. on Ocean parkway and 160 ft. on East 5th street, shall continue to be used as at present as a public recreation centre with outdoor tennis courts and ice skating; that along the entire property, on the interior lot lines and on East 5th street and for a portion along Ocean parkway, except in front of the building, there shall be constructed and maintained a substantial woven wire fence with no exits or entrances therein except a service entrance to East 5th street; that the existing one-story frame structure may be demolished and that there may be erected in its place a two-story brick structure of the area and design as indicated on the plans filed with this application, marked "received November 10, 1933"; that this building shall conform to the zoning resolution as to height and area; that the uses to which this building shall be put shall be solely for recreational games, locker rooms, toilets, lounge and ice cream parlor, as indicated on the plans filed with this application, that refreshments sold on the premises shall be limited to soda, candy and ice cream and such refreshments shall be served in the space marked ice cream parlor only; that there shall be no exterior second story porches; that there shall be no signs exhibited on the property except one permanent non-illuminated sign attached to the building near the front entrance, this sign not to exceed 2 ft. by 5 ft. in area; that charges may be made for the use of tennis courts, ice skating and for the use of the facilities and rooms within the building; that the building shall be constructed of brick with floors and roofing of incombustible materials and complying throughout with the building code and all other laws applicable to the construction of a place of public assembly; that all permits shall be obtained within six months and all work completed within one year from the date of this resolution.

MINUTES

PETITION FOR VARIATION.

554-30-S.

PETITIONER—Frank Straub, substituted for Croker Nat'l. Fire Prev. Eng. Co., for Rosalie A. Oakley, et al., owners.

SUBJECT—Application for reopening—amendment—re Petition for variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—56 West 31st street (Block No. 832, Lot No. 77), Manhattan.

APPEARANCES—

For Petitioner: Frank Straub.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commrs. Peppe, Savage and Blum and Assist. Chief Kidney. 5

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commrs. Peppe, Savage and Blum and Assistant Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(554-30-S.)

WHEREAS this petition affecting premises 56 West 31st street, (Block No. 832, Lot No. 77), Borough of Manhattan, was granted by the board January 6, 1931, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the resolution of the board adopted on January 6, 1931, be amended only so far as it refers to the modification of Item 3 of the order of the fire commissioner, No. 76668-LD, so that as amended this portion of the resolution will read:

"and, (*granted*) as to Item 3, *on condition* that a 60° Labor Law fire escape shall be provided from the 3-story balcony at rear to the roof of the one-story extension; that the roof of the one-story extension shall be fire-retarded; that the means of egress from the roof of the first story extension shall be by means of a fixed iron ladder to the one-story extension directly in the rear and thence by means of the exterior iron stairway through the 12-story fireproof building to Sixth avenue and also to other one-story extensions of adjacent buildings and through those buildings to Sixth avenue; that the number of persons working in the factory on the 2nd and 3rd floors of this building under petition shall at no time exceed twenty-five (25); that the resolution adopted January 6, 1931, other than as amended herein shall be complied with in all other respects."

APPLIANCES SUBMITTED FOR APPROVAL.

365-33-SA

PETITIONER—Quinn & Co., for W. A. Case & Son Mfg. Co., owner; request for reopening made by Nathan Epstein, attorney, for petitioner.

SUBJECT—Application for reopening—reconsideration—re Approval of Trojan Automatic Oil Burner.

APPEARANCES—

For Petitioner: Nathan Epstein.

ACTION OF BOARD—Petition to reopen withdrawn, action taken by the board under Cal. 667-28-SA.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5

Negative 0

Absent 0

667-28-SA.

PETITIONER—Reif-Rexoil Inc., for H. W. Hillman, owner.

SUBJECT—Rexoil Domestic and Industrial Fuel Oil Burner, amendment to include the name 'Trojan'.

APPEARANCES—

For Petitioner: Nathan Epstein.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(667-28-SA)

WHEREAS, an application has been filed under Cal. No. 365-33-SA for permission to market the Rexoil Industrial and Domestic Fuel Oil Burner, but to omit the name "Rexoil" and substitute therefore the name "Trojan";

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on January 15, 1929, to permit the Rexoil Domestic and Industrial Fuel Oil Burner, as approved under Cal. No. 667-28-SA to be marketed also under the name "Trojan," *on condition* that all oil burners so marketed shall be identical with the Rexoil Domestic and Industrial Fuel Oil Burner manufactured by Reif-Rexoil, Inc., and that each burner shall have attached thereto a plate reading "Approved by the Board of Standards and Appeals under Cal. No. 667-28-SA."

379-31-SA.

PETITIONER—Daniel W. Lenahan, owner.

SUBJECT—The Lenahan Gas & Steam Coil for Garage Use, approval of.

APPEARANCES—

For Petitioner: none.

ACTION OF BOARD—Petition dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(379-31-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance, and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

501-32-SA

PETITIONER—Fred Van Buren, for Sawyer Down Draft Heater Co., owner.

SUBJECT—Diard Oil Burner, approval of.

APPEARANCES—

For Petitioner: none.

ACTION OF BOARD—Petition dismissed for lack of prosecution.

MINUTES

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(501-32-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance, and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

01-33-SA

PETITIONER—Blaw-Knox Co. (Manufacturer), owner.
SUBJECT—Blaw-Knox (Madsen) Fuel Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative—Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(101-33-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance, and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

Adjourned, 5:00 p. m.

EDWARD V. BARTON, *Chief Clerk*.

MINUTES

*CORRECTION.

The minutes of the meeting of the board of standards and appeals held February 14, 1934, as they appeared in Bulletin No. 8, Vol. XIX are hereby corrected to read as follows:

44-33-SA.

PETITIONER—Petroleum Heat and Power Company, owner.

SUBJECT—Petro Oil Burner, Model W-2, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of this board and assistant chief of bureau of combustibles of fire department, likewise having the approval of Underwriters' Laboratory.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe and Savage and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(244-33-SA)

WHEREAS, the Petroleum Heat and Power Company, owner, filed, July 6, 1933, a petition with the board of standards and appeals for approval of their device known as the Petro Oil Burner Model W-2; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

* *Correction*—Calendar number changed in the resolution from 224-33-SA to 244-33-SA.

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of the fire department, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The Model W-2 oil burner, submitted for approval is a horizontal rotary mechanical draft burner of the spinning cup type. The burner consists of the following parts:

Petro pump and blower mounted on the same shaft as the motor, which is a 1/4 h.p. Westinghouse motor; Petro strainer and a Jefferson Ignition transformer.

Controls—Minneapolis Honeywell Pressuretrol and Minneapolis Honeywell Pyrostat; Minneapolis Honeywell Safety relay, type R 113-1.

Ignition—A combination gas and electric igniter. Gas supply is turned on at the start and is ignited by means of an electric spark. Gas pilot light is equipped with a magnetic gas control valve.

The burner was operated from a cold start with the fuel oil supply cut off, and on two successive tests the electric controls shut the burner down in 90 and 100 seconds respectively. During the period of test there were no puff backs or soot formation, and no evidence of carbon deposits.

We therefore recommend that the Petro Oil Burner, Model W-2 be approved for domestic and commercial use when installed in accordance with the Fuel Oil Rules of the Board of Standards and Appeals; and

WHEREAS, this device has been approved by the Underwriters' Laboratories. File MP-550.

Resolved, that the board of standards and appeals does hereby approve the device known as the Petro Oil Burner Model W-2 for use and domestic and commercial installations when installed in accordance with above report and the fuel oil rules of the board of standards and appeals.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Fluid Heat Oil Burner.....	361-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Franklin Domestic Oil Burner.....	560-26-SA
Air-Blast Oil Burner.....	579-32-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Alladin Oil Burner.....	298-26-SA	Fuelo Oil Burner.....	47-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner.....	373-30-SA
Arcoil Heat Machine.....	632-26-SA	Gar Wood Oil Burner, Model K and Model K-3500	481-32-SA
Auto-Heat Oil Burner.....	284-33-SA	General Electric Fuel Oil Burner.....	434-32-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Baker Automatic House Heating Burner....	1323-22-SA	Ghapco Steam Generator.....	348-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Gill Oil Burner.....	1231-23-SA
Berggren Oil Burner.....	764-26-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bettendorf Oil Burner.....	731-28-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Gulf Oil Burner.....	382-26-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner.....	813-25-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Branford Oil Burner.....	36-31-SA	Harris Fuel Oil Burner.....	690-30-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Automatic Oil Burner.....	1162-24-SA
Calorcoil Burner, Type AA.....	1361-24-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Carboradiant Oil Burner, Models V & VS....	16-31-SA	Hayward Oil Burner	696-30-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Heatiator Oil Burner.....	1346-23-SA
Carborundum Burner	571-29-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Heil Combustion Fuel Oil Burner, Type B....	295-29-SA
Carter-Korth Oil Burner	54-30-SA	Hercules Oil Burner.....	510-29-SA
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APPROVED APPLIANCES

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Requests for extension of permit denied.....	0
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Requests to install denied.....	0
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WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, March 5, 1934*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, March 12, 1934*, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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Notice of Public Hearing on Proposed Revision of Fuel Oil Rules.

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Reserve Calendar.

Progress Report.

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54-34-A.....	D.B.M....	148 W. 72d st. (Block 1143, Lot 52), Manhattan. F. P. Applic. 56-1934.
53-34-SA.....	F.D.....	Automatic Airless Oil Burner (Model No. 1), Appliance.
52-34-A.....	D.B.Q....	4405 Parsons blvd. (Block 1181, Lot 1), Flushing, Queens. N. B. 2864-32.
51-34-A.....	D.B.Bx...	980 Prospect ave. (Block 2690, Lot 123), Bronx. Alt. 40-1934.
50-34-BZ.....	D.B.Q....	153-12 to 153-20 Northern blvd. (Block 5266, Lots 19-21), Flushing, Queens. N. B. 88-1934.

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H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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COURT DECISION

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available.

Matter of Young Women's Hebrew Assn. &c. (Board of Standards and Appeals of City of N. Y. et al and Gelkom Realty Corpn.)—Mr. Justice McCook—Board sustained. Nov. 8, 1933, Board granted application for gas station in business district, under section 21. Cal. No. 249-33-BZ; Premises 1312-1314 5th Avenue, N. W. corner W. 110th St., Manhattan.

OPINION OF CORPORATION COUNSEL

The powers of the Board of Buildings as established by Chapter 764 of Laws of 1933 and of the Board of Standards and Appeals.

CITY OF NEW YORK
LAW DEPARTMENT
Office of the Corporation Counsel

Paul Windels New York, February 15, 1934

Corporation Counsel
No. 7 (18)

Hon. Harris H. Murdock,
Chairman, Board of Standards and Appeals.

Sir:

I have your communication of January 2, 1934, reading as follows:

"Chapter 764 of the Laws of 1933, known as the McCall Bill, amended the Greater New York Charter for the purpose of consolidating City Departments having to do with buildings.

Sections 406 and 411 set up a Board of Buildings consisting of the Commissioners of the five Borough Building Departments. Under Section 411, the Board of Buildings have power, where there are practical difficulties in the way of carrying out the strict letter of the law or where an equally good or more desirable form of construction can be employed in any specific case, to grant a variation from the strict letter of the law or the Building Code, providing the spirit of the law shall be observed and public safety secured and substantial justice done.

This section 411 follows quite closely the provisions in former Section 411. The main difference is that formerly the Superintendent of Buildings could make these variances provided the variance was approved by the Borough President. Under the new Section 411, the Superintendent is not given this power, but the power rests with the Board of Buildings.

The Superintendent of Buildings has had power for many years to vary the law where there are practical difficulties or where an equally good construction is offered. Practical difficulties have always been interpreted to mean practical difficulties as to construction.

When the Governor was urged to approve this bill, he was concerned lest this bill set up an appeal board to do the work for which the Board of Standards and Appeals was established. He was assured that this was not the intent and that the scope of power given to the Board of Buildings as to variance was no greater than the Superintendents of Buildings had enjoyed for many years.

Contrary to the wording and intent of the law and the assurance given to the Governor, the Board of Buildings organized and have been granting variances such as heretofore have been granted only by the Board of Standards and Appeals. They have been holding hearings and reviewing their own decisions as to standpipe systems, height of standpipe tanks, fireproof windows and many other protective features, the modifications granted as to which can in no way be interpreted as relief from practical difficulties or the acceptance of equally good construction. The impropriety of an administrative official reviewing his

CALENDAR

own decisions is of course obvious and it is particularly so when no provision is made for publication of the hearings and the findings. Granting modifications of the various laws in these respects comes under the heading not of practical difficulties but of unnecessary hardship, and the power to make variances where unnecessary hardship is shown lodges not with the Board of Buildings but with the Board of Standards and Appeals under Sections 718 and 719 and their various subdivisions.

The Corporation Counsel has on several occasions written opinions interpreting the McCall Bill. Most of these I have seen, but I have not seen an opinion justifying the procedure that the Board of Buildings have instituted, although such an opinion may have been written. The main purpose of the Board of Buildings was that the Commissioners form a Committee for the purpose of adopting rules and regulations for the conduct of their departments, to the end that procedure and interpretation of the laws should be uniform throughout the city. It was not the intent to give them general appeal power but merely to provide for a continuance of the power to make variation where there are practical difficulties, substituting for the approval of the Borough President, the approval of the Board of Buildings.

The question on which I desire an opinion is whether the powers of the Board of Buildings under Chapter 764 of the Laws of 1933 have been extended beyond the powers that the Superintendents of Buildings had under Section 411, and whether the powers of the Board of Standards and Appeals under Sections 718 and 719 have been limited or abridged by the new act."

The Board of Buildings established by Chapter 764 of the Laws of 1933 is empowered to make rules and regulations to pass upon any question relative to the mode, manner of construction and materials to be used in the erection, alteration or removal of any building or any structure by Section 411 of the Greater New York Charter, as amended by that statute, reading as follows:

"S411. Rules and regulations. The board of buildings shall make rules and regulations to pass upon any question relative to the mode, manner of construction or materials to be used in the erection, alteration or removal of any building or other structure erected or to be erected and to require that such mode, manner of construction or materials shall conform to the true intent and meaning of the provisions of law and ordinances relating and applicable to the construction, alteration or removal of buildings or other structures. The said board shall have power where there are practical difficulties in the way of carrying out the strict letter of the law or where an equally good and more desirable form of construction can be employed in any specific case to grant a variation from the strict letter of the law or the building code provided the spirit of the law shall be observed and public safety secured and substantial justice done. An appeal from the decision of the board may be made by the owner of any building or structure or his duly authorized agent to the Board of Standards and Appeals."

In answer to the inquiry made by you, I have to advise you that it is my opinion that the Board of Buildings, established by Chapter 764 of the Laws of 1933, has not been given powers beyond those devolved upon the various Superintendents of Buildings under Section 411 of the Greater New York Charter prior to this amendment, and that the powers of the Board of Standards and Appeals under the provisions of Sections 718 and 719 of the Greater New York Charter have not in any manner been limited or abridged in that respect by the new act.

Truly yours,
(Signed) PAUL WINDELS,
Corporation Counsel.

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 5, 1934, AT 2 P. M.

Building Zone Cases.

368-33-BZ.

APPLICANT—Archie H. Samuels, for Sonsam Corporation, owner.

PREMISES—Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

348-33-BZ.

APPLICANT—Samuel Rosenblum, for Bleitborn Building & Holding Corp., owner.

PREMISES—2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

5-34-BZ.

APPLICANT—Louis I. Becker, for Elsie S. Domville, owner.

PREMISES—15 East 61st street (Block No. 1376, Lot No. 12), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to business use (restaurant).

132-31-BZ.

APPLICANT—Kennedy & Ellner, for Wandil Realty Corp., owner.

PREMISES—Northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to Calendar November 21, 1933).

379-33-BZ.

APPLICANT—Andrew Havrylok, owner.

PREMISES—Southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

382-33-BZ.

APPLICANT—Andrew Yablonsky, owner.

PREMISES—Southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a motor vehicle repair shop.

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8-34-BZ.

APPLICANT—Kennedy & Ellner, for Wardell Holding Corporation, owner.

PREMISES—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

364-33-BZ.

APPLICANT—Joseph S. Gershman, for Maphi Realty Co., Inc., owner.

PREMISES—Northeast corner of Hillside avenue and Chelsea road (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

3-34-BZ.

APPLICANT—William Shary, for Estate of Jonas Weil, owner.

PREMISES—229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot Nos. 49, 50, 51 and 13), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles, which is located in an unrestricted district.

MARCH 6, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 6, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 20-28-BZ—Application, January 10, 1928; denied September 25, 1928; reopened November 21, 1933, under section 21 of the building zone resolution, of Philip Freshman, applicant, on behalf of Markus Siegelman, owner, to permit in a residence district the change of occupancy of an existing building to business use (store); premises 99-105 Prospect Park, southwest, northwest corner of 16th street (Block No. 5259, Lot No. 22), Brooklyn.

CAL. NO. 457-30-BZ—Application, June 27, 1930; withdrawn October 21, 1930; reopened September 12, 1933, under section 21 of the building zone resolution, of Frank Caraccia, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Borough of Richmond.

CAL. NO. 362-33-BZ—Application, November 27, 1933, under section 21 of the building zone resolution, of John E. Sexton, applicant, on behalf of Rose Held, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 195 Graham avenue and 149-155 Scholes street, northwest corner (Block No. 3034, Lot No. 27), Brooklyn.

CAL. NO. 381-33-BZ—Application, December 22, 1933, under section 21 of the building zone resolution, of Chas. M. Lobejager, applicant, on behalf of George Rubin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Roosevelt avenue, 466 ft. west of 103rd street (Block No. 1770, Lot Nos. 60, 62, 64 and 65), Corona, Borough of Queens.

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

CAL. NO. 335-33-BZ—Application, October 30, 1933, under section 21 of the building zone resolution, of Wood and Marshall, applicants, on behalf of Marshall Contracting Co., Inc., owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 5563-5573 Kings highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 and 9), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 6, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, March 6, 1934*, at 2 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 451-32-BZ—Application, August 16, 1932; denied January 13, 1933; reopening for reconsideration for a reduced plot and for a temporary period denied June 9, 1933; remitted to the Board by order of Court, January 5, 1934; application of William I. Alpert, on behalf of Church & 94th Street Corp., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service sta-

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tion for a temporary period on a smaller plot; premises 9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Brooklyn.

AL. NO. 317-33-BZ—Application, October 11, 1933, under section 21 of the building zone resolution, of Edward L. Kelly, applicant, on behalf of Dickel Construction Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

AL. NO. 374-33-BZ—Application, December 7, 1933, under section 21 of the building zone resolution, of John H. Scheier, applicant, on behalf of Manufacturers Trust Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2400-2412 Flatbush avenue, northwest corner of Avenue T (Block No. 8528, Lot Nos. 1 and 72), Brooklyn.

AL. NO. 116-33-BZ—Application, March 27, 1933; denied June 27, 1933; request for reopening withdrawn July 18, 1933; reopened January 26, 1934, for reconsideration under new facts, under sections 7e and 21 of the building zone resolution, of Arthur F. Lamanda, applicant, on behalf of Katherine Alberti, owner, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ; premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

AL. NO. 872-28-BZ—Application, November 14, 1928, under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building (stores); granted on certain conditions, April 2, 1929; application of Eugene De Rosa, Inc., on behalf of John A. McCarthy, owner, reopened February 6, 1934, under section 21 of the building zone resolution, to permit the alteration and reconstruction of a portion of these stores into a motion picture theatre; premises 2311 Grand Concourse, northwest corner of East 183d street (Block No. 3164, Lot No. 31), The Bronx.

AL. NO. 293-33-BZ—Application, September 9, 1933, under section 21 of the building zone resolution, of William F. Doyle, applicant, on behalf of Abraham Halperin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 12, 1934, AT 2 P. M.

Building Zone Cases.

327-33-BZ.

APPLICANT—Harold J. Crawford, for Nora Eberhardt, owner.

PREMISES—21-17 30th avenue (Block No. 99, Lot No. 7), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building.

14-34-BZ.

APPLICANT—John F. Mechan, for Isaac D. Reynolds, owner.

PREMISES—101-15 Astoria avenue, northwest corner of 29th avenue (Columbus boulevard) and McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

53-30-BZ.

APPLICANT—Jacob Rudd, for Metropolitan Savings Bank, owner.

PREMISES—97-107 Kenmare street and 15 Cleveland place, northeast corner (Block No. 481, Lot No. 7), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened October 10, 1933).

148-33-BZ.

APPLICANT—Kennedy & Ellner, for Noviak Holding Corp., owner.

PREMISES—Southwest corner of Hollis avenue and Cross Island boulevard (Block No. 1882, Lot No. 106), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar January 3, 1934).

512-31-BZ.

APPLICANT—George Tiernan, for Regina Boulevard Corp., owner.

PREMISES—Southeast corner of Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar November 14, 1933).

24-34-BZ.

APPLICANT—Goldie Harris, owner.

PREMISES—3117-3127 Surf avenue, northeast corner of West 32nd street (Block No. 7049, Lot Nos. 51, 53 and 58), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

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TO PERMIT the extension from a business district into a residence district of a proposed theatre and store building.

607-31-BZ.

APPLICANT—Archie H. Samuels, for Ben S. Michaelson, owner.

PREMISES—Northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar February 6, 1934).

343-33-BZ.

APPLICANT—Milton Kaplan, for Milton Kaplan and Katie Baum, owners.

PREMISES—1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

MARCH 13, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 13, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 356-33-BZ—Application, November 21, 1933, under sections 7c and 21 of the building zone resolution, of Jack Fein, applicant, on behalf of Enmor Realty Corporation, owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a business building (stores); premises 1919-1929 Avenue V and 2628-2632 Ocean avenue, northwest corner (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

CAL. NO. 354-33-BZ—Application, November 21, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Edlar Realty Corp., owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

CAL. NO. 357-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of DeRose and Cavalieri, applicants, on behalf of Ida M. Hewitt, owner, to permit in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station; premi-

ses 3349-3357 East Tremont avenue, east side, 75 ft. south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), The Bronx.

CAL. NO. 373-33-BZ—Application, December 11, 1933, under section 21 of the building zone resolution, of Henry J. Nurick, applicant, on behalf of Michael Salit, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 176-192 Kings Highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

CAL. NO. 376-33-BZ—Application, December 13, 1933 under section 21 of the building zone resolution, of Clifford F. Hart, applicant, on behalf of Benjamin G. Hitchings Lumber Corp., owner, to permit partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop; premises 3202-3224 Avenue H, south side, from East 32nd street to New York avenue (Block No. 7578, Lot Nos. 53 and 57), Brooklyn.

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

CAL. NO. 380-33-BZ—Application, December 19, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Frank Teltsch, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1934, 2 P. M.

Appeals from Administrative Orders.

371-33-A—Foot of Beach 79th street, north side of Long Island Railroad (Block No. 545, Lot No. 1), Rockaway Beach, Borough of Queens.

377-33-A—116-09 to 116-11 15th avenue (Block No. 107, Lot Nos. 41 and 26), College Point, Borough of Queens.

17-34-A—115-119 West 58th street (Block No. 1011, Lot No. 25), Manhattan.

Appliances Submitted for Approval.

16-34-SA—Warner Oil Burner, Model A, approval of.

23-34-SA—Webster Fuel Oil Pump, Type A, approval of.

34-34-SA—Standardyne Oil Burner, approval of.

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Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, March 13, 1934*, at 2 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 366-33-BZ—Application, December 4, 1933, under section 7b of the building zone resolution, of Thomas D. Conroy, applicant, on behalf of Marie Whitehurst Conroy, owner, to permit partly in a business district and partly in a residence district, the alteration and change of occupancy of part of an existing building from dwelling to business use; premises 71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

CAL. NO. 77-33-BZ—Application, February 27, 1933, under section 21 of the building zone resolution, of Anthony P. Sorice, Jr., applicant, on behalf of Vincent J. Repaci, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

CAL. NO. 315-33-BZ—Application, October 6, 1933; dismissed for lack of prosecution, December 27, 1933; reopened and restored to Calendar January 16, 1934, under section 21 of the building zone resolution, of William J. Russell, applicant, on behalf of Russand Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

CAL. NO. 323-33-BZ—Application, October 14, 1933; dismissed for lack of prosecution, January 16, 1934; reopened and restored to Calendar January 30, 1934, under section 21 of the building zone resolution, of G. A. Schonewald, applicant, on behalf of Elgeo Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 16, 1934, 2 P. M.

SPECIAL MEETING.

Rules

217-21-SR—Fuel Oil Rules, Proposed Revision of.

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 19, 1934, AT 2 P. M.

Building Zone Cases.

546-32-BZ.

APPLICANT—Archie H. Samuels, for 88th St. Holding Co., Inc., owner.

PREMISES—Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), The Bronx.

APPLICATION, under section 7f of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously denied under section 21; reopened January 9, 1934).

4-34-BZ.

APPLICANT—Max Siegel, for Josephine J. Schnurmacher, owner.

PREMISES—West side of White Plains road, 245.85 ft. north of 226th street (Block No. 4829, Lot No. 11), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station.

384-33-BZ.

APPLICANT—Chas. M. Lobejager, for Harry Sheer, owner.

PREMISES—Southeast corner of Cross Island boulevard and 195th street (Block No. 976, Lot No. 1), Auburndale, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station and, also, the creation of a parking space for more than five (5) motor vehicles.

345-33-BZ.

APPLICANT—Walter Zeitz, for Walmere Realty Co., Inc., owner.

PREMISES—3146 Heath avenue, south side, 117'8" west of Kingsbridge terrace (Block No. 3257, Lot No. 53), The Bronx.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a building to be used for business use (stores).

302-33-BZ.

APPLICANT—Frank Giorgio, Jr., for Antonio and Rose Montelone, owners.

PREMISES—Northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

353-33-BZ.

APPLICANT—Saul Goldsmith, for Ellen Martin, owner.

PREMISES—407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

387-33-BZ.

APPLICANT—William Mulligan, owner.

PREMISES—122-12 25th road (Block No. 218, Lot No. 29), College Point, Borough of Queens.

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APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence district the alteration and change of occupancy to an existing dwelling so as to include a business use (store).

11-34-BZ.

APPLICANT—Joseph Walsh, for Harry Koggan, owner.
PREMISES—273 Chester street, east side, 179 2 $\frac{3}{4}$ " south of Blake avenue (Block No. 3560, Lot No. 12), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the change of occupancy of an existing premises to junk shop.

in a business district the erection and maintenance of a gasoline service station; premises west side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

CAL. NO. 161-33-BZ—Application, April 28, 1933; denied July 18, 1933; reopened under new facts September 26, 1933, under section 21 of the building zone resolution, of Frank B. Reardon, applicant, on behalf of Theodore G. Zeh, owner, to permit in a residence district the change of occupancy in part of an existing residence building to a business use; premises 170-07 115th avenue (Block No. 3087, Lot No. 350), Jamaica, Borough of Queens.

MARCH 20, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 20, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 308-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Jacob E. Hurwitz, applicant, on behalf of Alice Fadool, owner, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use; premises 195 Prospect Park, West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

CAL. NO. 198-33-BZ—Application, May 29, 1933; withdrawn July 18, 1933; reopened and restored to Calendar January 3, 1934, under section 21 of the building zone resolution, of John J. Hegarty, applicant, on behalf of Port of New York Authority, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises West side of Haven avenue, 217'4 $\frac{1}{2}$ " north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

CAL. NO. 284-32-BZ—Application, May 24, 1932; denied November 4, 1932, under section 7f of the building zone resolution; reopened December 27, 1933, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Rock Jay Realty Co., Inc., owner, to permit

CAL. NO. 386-33-BZ—Application, December 28, 1933, under section 21 of the building zone resolution, of Marcus L. Bermann, applicant, on behalf of Ralph Horton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Eastern boulevard and Sound View avenue, through to Croes avenue (Block No. 3722, Lot No. 18), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1934, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 27, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 97-30-BZ—Application, February 7, 1930, under section 21 of the building zone resolution, of Charles Tolleris, applicant, on behalf of 5612 18th Avenue Realty Corp., owner, to permit in a business district the installation of a gasoline service station (previously granted April 22, 1930, for a motor vehicle repair shop for minor repairs, which variation superseded the grant of February 3, 1925, under Cal. No. 1266-24-BZ, for a milk distributing station); premises 5612-5614 18th avenue (Block No. 5493, Lot No. 40), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, FEBRUARY 27, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

The minutes of the Special Meeting of the Board held on Friday morning February 23, 1934, and the minutes of the special meeting of the board held on Friday afternoon, February 23, 1934, were approved as printed in Bulletin No. 9, Vol. XIX.

BUILDING ZONE CASES

335-33-BZ.

APPLICANT—Wood and Marshall, for Marshall Contracting Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5563-5573 Kings highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 and 9), Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Joseph Appeldorf.

ACTION OF BOARD—Laid over to March 6, 1934, at 10 a. m., on request of attorney for objectors.

366-33-BZ.

APPLICANT—Thomas D. Conroy, for Marie Whitehurst Conroy, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7b of the building zone resolution, to permit partly in a business district and partly in a residence district, the alteration and change of occupancy of part of an existing building from dwelling to business use.

PREMISES AFFECTED—71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

APPEARANCES—

For Applicant: Thomas D. Conroy.

For Opposition: Edward G. Steinert, Edward Willman.

ACTION OF BOARD—Laid over to March 13, 1934, at 2 p. m., for report of committee on inspection. No further argument.

77-33-BZ.

APPLICANT—Anthony P. Sorice, Jr., for Vincent J. Repaci, owner.

SUBJECT—Application (re decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPEARANCES—

For Applicant: Frank M. Bambara.

For Opposition: None.

ACTION OF BOARD—Laid over to March 13, 1934, at 2 p. m., for report of committee on inspection. No further argument.

198-33-BZ.

APPLICANT—John J. Hegarty, for Port of New York Authority, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar January 3, 1934).

PREMISES AFFECTED—West side of Haven avenue, 217 ft. 4½ in. north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

APPEARANCES—

For Applicant: Charles Horowitz.

For Opposition: Frank Lutz (Representative of Park Department).

ACTION OF BOARD—Laid over to March 20, 1934, at 10 a. m., on request of Park Department representative. Applicant's representative concurring.

315-33-BZ.

APPLICANT—William J. Russell, for Russand Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to Calendar January 16, 1934).

PREMISES AFFECTED—Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: William J. Russell.

For Opposition: None.

ACTION OF BOARD—Laid over to March 13, 1934, at 2 p. m., for report of committee on inspection. No further argument.

323-33-BZ.

APPLICANT—G. A. Schonewald, for Elgeo Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to Calendar January 30, 1934).

PREMISES AFFECTED—Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

APPEARANCES—

For Applicant: Clarence D. Feltner, Charles Schaefer, Jr., George A. Schonewald, Walter F. O'Malley.

For Opposition: I. W. Cashatt, Arnold Sandman.

ACTION OF BOARD—Laid over to March 13, 1934, at 2 p. m., for report of committee on inspection. No further argument.

293-31-BZ.

APPLICANT—William F. Regan, for J. & V. Beach Holding Corp., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 7-F of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Shore drive and Layton avenue (Block No. 5467, Lot No. 1), The Bronx.

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APPEARANCES—

For Applicant: William F. Regan, John T. E. Vanderveer, Mr. Judge.

ACTION OF BOARD—Application reopened—resolution amended and time extended for temporary permit.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(293-31-BZ)

WHEREAS, this application affecting premises southeast corner of Shore drive and Layton avenue (Block No. 5647 Lot No. 1), Borough of The Bronx, was granted by the Board April 15, 1932, on certain conditions and applicant requests an extension of the period for the variance to run:

Resolved, that the resolution adopted by the board on April 15, 1932, only so far as it refers to time for which this variance is to run under Section 7 subdivision "f," is amended so that as amended the resolution shall read:

"... granted under Section 7 subdivision "f" for a temporary period of two years from April 15, 1934, on condition that the resolution shall be complied with in all respects other than as amended herein."

653-28-BZ.

APPLICANT—Bertram G. Eadie, for Ethel Samuels, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of nine (9) metal garages for the storage of nine (9) motor vehicles and, also, the installation of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Hylan boulevard and Evans street (Block No. 3657, Lot Nos. 1 and 3), Grant City, Richmond.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended to complete work.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5

Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(653-28-BZ)

WHEREAS, this application affecting premises southeast corner of Hylan boulevard and Evans street (Block No. 3657, Lot Nos. 1 and 3), Grant City, Borough of Richmond, was granted by the board April 23, 1929, on certain conditions, and time to obtain permits and complete the work extended, and owner requests a further extension of time to complete the work.

Resolved, that the resolution adopted by the board on April 23, 1929, be amended, only so far as it refers to the completion of work, so that as amended the last clause of the resolution shall read:

"... that, in view of statement made by applicant that all permits have been obtained, all the work involved shall be completed within one year from the date of this amended resolution; and that the resolution, other than as amended herein, shall be complied with in all respects."

APPROVAL OF PLANS.

509-20-BZ.

APPLICANT—Henry J. Nurick, for Ben Beyer Realty Corp., present owner.

SUBJECT—Approval of plans in accordance with resolution adopted by the Board December 19, 1933.

PREMISES AFFECTED—1201-1219 Coney Island avenue, east side, 240 ft. north of Avenue I (Block No. 6695, Lot Nos. 61 and 66), Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Plans approved as complying with amended resolution adopted by the Board under date of December 19, 1933.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

Adjourned, 12:45 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, FEBRUARY 27, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

320-33-BZ.

APPLICANT—John A. Cosgrove, for Gottel Radish, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Richmond.

APPEARANCES—None.

For Applicant: None.

For Opposition: Jacob Stein.

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ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

320-33-BZ)

WHEREAS, John A. Cosgrove, for Gattel Radish, owner, filed, October 13, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station, premises: 4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Richmond; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hylan boulevard is in a business district; Richmond avenue is in a business district; Ridgecrest avenue is a business district and Oceanic avenue is a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 10, 1933, re N. B. 409-1933, reads:

"Your application New Building No. 409/1933, to erect a gasoline selling station at premises No. 4356 Hylan boulevard, southeast corner Richmond avenue, Eltingville, Borough of Richmond, is hereby disapproved; it being contrary to the Zoning Resolution to erect a gasoline selling station in a business zone."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 110 ft. on Richmond avenue, 84 ft. on Hylan boulevard and 104 ft. on Oceanic avenue upon which it is proposed to erect a one-story office and accessory store, 16 ft. by 20 ft. in area and the necessary tanks and pumps for a gasoline service station. It is proposed to remove the frame structure (used as a luncheonette) now on the site; and

WHEREAS, this application was the subject of an inspection by a committee of the board, report of which inspection was read at the hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 320-33-BZ.

Premises: 4356 Hylan boulevard, southeast corner of Richmond avenue (Block No. 5322, Lot No. 1), Eltingville, Richmond.

The committee of the board inspected the premises under appeal on February 15, 1934.

The site for which a variance is desired to permit a gasoline service station to be erected is on the southerly side of Hylan boulevard, on a narrow block front of only 84 ft. in width, with the extension of Richmond avenue on one side and Oceanic avenue on the other. At present there is a conforming building on the site, used when occupied as a luncheonette. The building is frame with an extension partly of brick, and all one story in height. It is claimed that when rented the rent about pays for the taxes. The plot is below the level of Hylan boulevard.

Except for the existing building the immediate section is residential, consisting mainly of single family houses, generally for summer occupancy, but many of which are now occupied throughout the year. Further on to the west is a well established residential section, and also north of Hylan boulevard on Richmond avenue.

Hylan boulevard at this point is approximately 1,000 ft. from the beach, so that this section is apparently popular for residential use and for fishing clubs apparently operated for public use, two of which are located on large plottages to the west.

The zoning is illogical and should be revised. But even though the entire area is zoned for business, non-conforming uses should not be permitted, particularly gasoline stations, of which there are already three to the east on Hylan boulevard, within a distance of a few blocks.

There are no existing non-conforming uses and to establish the one sought would cause distinct hardship to the adjoining properties. The committee finds that no hardship has been proven to exist and recommends denial.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT C. PEPPE,

BERNARD A. SAVAGE,

Committee of Inspection.

and

WHEREAS, the report recommended the denial of the application under section 21, deeming the applicant had failed to substantiate his basis of appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

399-30-BZ.

APPLICANT—William Richter, for Sadie Hartwig, owner.

SUBJECT—Application reopened February 6, 1934, for an amendment to the resolution, to permit the inclusion of a three (3) car garage—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station—previously granted by the board.

PREMISES AFFECTED—2808-2818 86th street and 2279-2285 West 8th street, southeast corner (Block No. 7143, Lot No. 88), Brooklyn.

APPEARANCES—

For Applicant: William Richter.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(399-30-BZ)

WHEREAS, this application affecting premises 2808-2818 86th street and 2279-2285 West 8th street, southeast corner (Block No. 7143, Lot No. 88), Borough of Brooklyn, was granted by the board April 21, 1931 on certain conditions and amendments granted April 5, 1932, December 6, 1932 and January 3, 1934, and applicant requests a further amendment of the resolution; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals at its regular meeting, February 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the resolution of the board, adopted on April 21, 1931, as amended by resolution adopted by the board on April 5, 1932, December 6, 1932 and January 3, 1934, be and it hereby is *amended* to permit the erection of an additional building, as indicated on plans filed, marked "received February 27, 1934," this additional building to be used as a garage for not over three cars *on condition* that the building shall not exceed one story in height and shall be constructed of brick, as indicated, and that the northerly extension thereto shall be constructed to cover the greasing pits permitted under the original resolution; that this greasing pit section shall be enclosed with brick walls on the easterly and northerly side and that the front, or westerly side shall be left open; that there shall

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be no open excavation under this additional building except the pits for the greasing racks; that the ceilings throughout shall be fire-retarded in accordance with the rules of the board of standards and appeals; that the roof shall be surfaced with shingles or tile of incombustible material; that there shall be no motor vehicle repairing carried on in the premises; that the original resolution adopted by the board on April 21, 1931, as amended April 5, 1932, December 6, 1932 and January 3, 1934, shall be complied with in all respects other than as amended herein; and that all permits for this additional building shall be obtained within three months and all work completed within six months from the date of this amended resolution.

332-33-BZ.

APPLICANT—Charles A. Carey (lessee), for Whitnoyl Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

APPEARANCES—

For Applicant: Ivan Magill.

For Opposition: Louis A. Jackson.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum.....	4
Negative: Assistant Chief Kidney.....	1
Absent	0

THE RESOLUTION—

(332-33-BZ)

WHEREAS, Charles A. Carey (lessee), for Whitnoyl Corp., owner, filed, October 25, 1933, an application under the building zone application to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises: 14 West 66th street (Block No. 1118, Lot No. 42), Manhattan; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 66th street is in a business district, West 65th street is in a business district, Central Park West is in a residence district and Columbus avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 20, 1933, re Certificate of Occupancy, reads:

"Answering your letter of October 17, 1933, we wish to state that an inspection was made of the above building and the inspector reports the building is located in a business district and the use of same for a garage for more than 5 cars is not permitted."

and

WHEREAS, the existing building is of fireproof construction, six (6) stories in height, with a frontage of 25 ft. and a depth of 100 ft. 5 in., formerly occupied as a storage warehouse but originally altered from a stable to a garage to be occupied as a garage for more than 5 motor vehicles; and

WHEREAS, this application was the subject of an inspection by a committee of the board, report of which inspection was read at the hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 332-33-BZ.

Premises: 14 West 66th street (Block No. 1118, Lot No. 42), Manhattan.

The building under appeal is six stories in height, of fireproof construction, on a plot 25 ft. by 100 ft. It was reconstructed in 1908 after a fire to a previous smaller building which was used as a private stable. The new building was approved for a public garage. The arrangement is clearly intended for that use with an 18 ft. 6 in. electric elevator and gasoline tank buried in the rear yard as was permitted at that time. That it was used as a garage in 1908 is claimed by the applicant. Until recently it has been rented for a storage warehouse.

There are on the street between Central Park West and Columbus avenue, a large riding academy, an armory, an exhibition arena known as St. Nicholas Rink, several public garages together with a stable, a warehouse and a number of old law tenements. Three of these tenements occupy a plot on which the board granted a variance for a garage under Cal. No. 184-29-BZ. Courts sustained the board's decision in the well known Ottinger Case, in which the court held that notice published in the board's Bulletin constituted sufficient legal notice to property owners.

The street, because of the character of the present buildings is not one where conforming business uses or residences can be erected in the opinion of the committee. In spite of the claim by the opposition that the existing garages in the street and in the section are sufficient for all demands, the relatively small number of cars that the building under appeal can accommodate can make little difference in the general supply. If this building was to be reconstructed the situation would be different, but this building is already a garage in construction and appointments, and the committee is of the opinion that the approved use should be restored and that hardship would be caused this owner if such permission were not given.

The committee recommends that the variance of the Zoning Resolution requested be granted for a period of five (5) years as the owner suggests, provided the building is made to comply with all the regulations applicable to public garages, except that the existing gasoline installation be not used until the tank is thoroughly tested against leakage, and the gasoline pump installed inside the main front entrance for sale of gasoline to those cars only which are stored in the building, and further that a heating boiler if installed be cut off with fireproof material from the balance of the building, and the boiler room enterable from the exterior only.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, the board deemed that applicant was entitled to relief for a temporary period of five years under section 21.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* for a period of five years from the date of this action under section 21 *on condition* that the building shall be made to comply with all requirements for a public garage hereafter erected; that if a heating plant is installed in the building that it shall be entirely separated from the balance of the building by approved fireproof material; that this boiler room to be enterable from the exterior only; that the existing gasoline tank in the rear yard shall not be used until it is thoroughly tested by the department having jurisdiction; that if gasoline is sold on the premises it shall be dispensed only from a gasoline pump erected inside the front entrance with approved fill line and required pump line and vent properly buried under the concrete floor and protected as and where required; that no gasoline shall be sold other than for cars stored within

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he building; that no motor vehicle repairing shall be carried on in the premises; that no open flame shall be permitted other than in the heating boiler; that no signs advertising non-conforming use shall be erected on the building other than a flat sign not over 3 ft. by 5 ft., attached to the face of the building, with no signs extending beyond the building line; and that all permits shall be obtained within three months from the date of this action.

313-33-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Isaac Klapper, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Bertram F. Bongard.

For Opposition: Albert W. Sibek.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(313-33-BZ)

WHEREAS, Joseph D. Nuan, Jr., for Isaac Klapper, owner, filed, September 29, 1933, an application under the building zone application to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises: 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Greenpoint avenue is in a business district, Hunters Point avenue is in a business district, 39th street is in a residence district and 50th avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 18, 1933, re Plan No. 1926-33, reads:

"1. The erection of a gasoline service station to be located in a business district and extended into a residence district is contrary to art. 2, sections 3 and 4, on the Zoning Law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 77 ft. on 39th street, 95 ft. on 50th avenue and 80 ft. on Greenpoint avenue. Part of the southeast corner of the plot is in the residence district—the remainder is in the business district. It is proposed to erect thereon a one-story structure 20 ft. by 40 ft. to be used as auto laundry and office; to install grease pits and also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, report of which inspection was read at the hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 313-33-BZ.

Premises: 38-04 to 38-10 Greenpoint avenue (Block No. 212, Lot No. 23), Woodside, Borough of Queens.

A variance of the Zoning Resolution is sought in this application for a gasoline station on the southerly side

of Greenpoint avenue, between 38th and 39th streets, Woodside, Borough of Queens. The plot is the block front, somewhat irregular, fronting partly on Greenpoint avenue, partly on 50th avenue and partly on 39th street. The frontage on Greenpoint avenue is zoned for business on both sides. North and south of this business area the section is zoned for residence. The plot under appeal is partly in the residence district.

Immediately to the rear of the premises under appeal on 39th street is a two-story factory building, a non-conforming use, apparently existing at the time of the adoption of the Zoning Regulation. There are also adjoining on the rear on 38th street, single-family houses with private garages. There is considerable vacant land in the section, especially street frontage, but the development is apparently only temporarily arrested as is evidenced by the more extensive developments on Greenpoint avenue to the east and west. In 1929 the streets in this general section were being cut through and surfaced. Even when the streets were in that condition and building of residential buildings were under way, a petition for a gasoline station three blocks to the east on a triangular island at 40th street and Greenpoint avenue was so strenuously opposed by nearby objecting owners that the case was withdrawn after hearing in June, 1930, under Cal. No. 742-29-BZ. A similar application concerning another island plot at 43d street and Greenpoint avenue, where more extensive building has taken place, was denied in May, 1933, under Cal. No. 44-33-BZ.

In this case there are 29 objections and no consents. Their contention is that the nearby apartment and home development will extend to this area; that the gasoline station proposed is not only not needed but will depreciate values; that the premises under appeal are held through foreclosure at a figure which is not so high as to make the carrying charges burdensome.

The committee which inspected the site on February 8, 1934, agrees with the objectors and can find no hardship shown or proven. Attention is called to the design of the proposed gasoline station which in itself is enough to warrant the board in denying this application. With a building of the appearance proposed, with wash stands in plain view and open greasing pits, this station would produce a permanent blemish on this section.

The committee recommends denial.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT C. PEPPE,

BERNARD A. SAVAGE,

Committee of Inspection.

and

WHEREAS, the report recommended denial of the application and the board deemed that applicant had failed to substantiate his basis of appeal under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

240-33-BZ.

APPLICANT—Irving Proskauer, for John J. Halleran, owner.

SUBJECT—Application (re decision of the commissioner of buildings, under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station. (Placed on Reserve Calendar on December 5, 1933, pending full vote of board. Restored to Calendar January 30, 1934.)

PREMISES AFFECTED—Southeast corner of Nassau boulevard and 250 street (Block No. 4084, part of Lot No. 250), Little Neck, Queens.

APPEARANCES—

For Applicant: James Kearney.

For Opposition: None.

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ACTION OF BOARD—Application granted, on condition. THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners
Peppe, Savage and Blum..... 4
Negative: Assistant Chief Kidney..... 1
Absent 0

THE RESOLUTION—

(240-33-BZ)

WHEREAS, Irving Proskauer, for John J. Halleran, owner, filed, June 29, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Southeast corner of Nassau boulevard and 250th street (Block No. 4084, part of Lot No. 250), Little Neck, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Nassau boulevard is in a residence district and 250th street (Marathon parkway) is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 20, 1933, re Plan No. 1048-1933, reads:

"1. The erection of a gasoline selling station in a business 'E' district is contrary to art 2, section 4 of the Zone Resolution. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Nassau boulevard and 100 ft. on 250th street, upon which it is proposed to erect a one-story structure 80 ft. by 22 ft., to be used as an office, auto laundry and grease pits and also to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection made by a committee consisting in part of former members of the board on November 23, 1933, report of which inspection was read at this hearing; and

WHEREAS, Commissioners Savage and Peppe, having viewed the premises on February 8, 1934, and having read the minutes, and Commissioner Blum having read the minutes, all subscribe to the report as written; and

WHEREAS, the report recommends the granting of this application for a temporary period of two years, under Section 7(f).

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7(f) for a period of two years from the date of this action, permitting the use of the premises as a gasoline station *on condition* that the entire plot shall be leveled substantially to the grade of Marathon parkway and Horace Harding boulevard, also known as Nassau boulevard; that there shall be erected on the interior lot lines a substantial woven wire fence not less than 6 ft. in height; that the accessory buildings shall be located along the southerly lot line, as indicated on the plans filed with this application; that they shall not exceed one story in height; that they shall be constructed of incombustible materials, except that the roof beams, roof boarding, doors and windows may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the board of standards and appeals and that the roofs are surfaced with slate or other incombustible materials; that there shall be no open excavation under any portion of these buildings except the pits for the greasing racks; that the entire plot where not covered by accessory buildings shall be cement paved or covered with cracked blue stone; that gasoline pumps erected shall be not nearer than 10 ft. to either street building line or to any part of accessory building; that if and when curbs are constructed on Marathon parkway and Nassau boulevard, there shall be not over two openings to either thoroughfare, each opening not to exceed 25 ft. in width; that signs advertising non-conforming

uses shall be restricted to the illuminated globes of the gasoline pumps and to not over one permanent flat sign attached to the front of the accessory building, excluding all signs of a temporary nature; that no portable gasoline pumps shall be used on or from the property; that no open flame shall be permitted on the property; that no motor vehicle repairing shall be carried on; that there shall be no parking or storage of cars other than those being serviced; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

199-33-BZ.

APPLICANT—Lama and Proskauer, for William H. Parry, owner.

SUBJECT—Application (re decision of the commissioner of buildings, under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of 250th street and Nassau boulevard (Block No. 4084, part of Lot No. 200), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: James Kearney.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.
THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners
Peppe, Savage and Blum..... 4
Negative: Assistant Chief Kidney..... 1
Absent 0

THE RESOLUTION—

(199-33-BZ)

WHEREAS, Lama & Proskauer, for William H. Parry, owner, filed, June 1, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Northeast corner of 250th street and Nassau boulevard (Block No. 4084, part of Lot No. 200), Little Neck, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, February 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 250th street (Marathon parkway), is in a business district and Nassau boulevard is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 25, 1933, re Plan No. 732-1933, reads:

"1. The erection of a gasoline service station in a business district and extending into a residence district is contrary to art. 2, sections 3 and 4 and subsection 46 of the BZR (not further considered)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Nassau boulevard and 108 ft. on 250th street, upon which it is proposed to erect a one-story office 22 ft. by 99 ft., irregular, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection made by a committee consisting in part of former members of the board on November 23, 1933, report of which inspection was read at this hearing; and

WHEREAS, Commissioners Savage and Peppe, having viewed the premises on February 8, 1934, and having read the minutes, and Commissioner Blum having read the minutes, all subscribe to the report as written; and

WHEREAS, the report recommends the granting of this application for a temporary period of two years, under section 7(f).

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use dis-

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strict regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7(f) for a period of two years from the date of this action, permitting the premises under appeal to be used for a gasoline service station *on condition* that the entire area shall be leveled substantially to the grade of Nassau boulevard, also known as Horace Harding boulevard, and Marathon parkway; that there shall be erected on the interior lot lines a substantial woven wire fence not less than 6 ft. in height; that the accessory buildings shall be located toward the easterly interior lot line, as indicated on plans filed with this application; that these buildings shall not exceed one story in height, and shall be constructed of incombustible materials except that the roof framing, roof boarding, doors and windows may be of wood; that the ceilings throughout shall be fire-retarded in accordance with the rules of the board of standards and appeals; that the roofs shall be surfaced with slate or other incombustible materials; that there shall be no open excavation under any portion of these buildings except the pits for the greasing racks; that the entire plot where not covered by accessory buildings shall be cement paved or covered with cracked blue stone; that gasoline pumps erected shall be not nearer than 10 ft. to any street building line or any part of an accessory building; that signs advertising non-conforming uses shall be restricted to the illuminated globes of the gasoline pumps and to a flat sign attached to the face of the accessory building, excluding all signs of a temporary nature; that there shall be no open flame permitted on the property; that there shall be no portable gasoline pumps used on or from the property; that there shall be no motor vehicle repairing carried on; that there shall be no parking or storage of cars other than those being serviced; that if and when curbs are erected on Marathon parkway and Nassau boulevard, there shall be not over two openings to each thoroughfare, no opening to exceed 25 ft. in width; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

APPEALS FROM ADMINISTRATIVE ORDERS.

371-33-A.

APPELLANT—Croker Fire Prevention Corp., owner.
SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—Foot of Beach 79th street, north side of L. I. Railroad (Block No. 545, Lot No. 1), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Appellant: None.

For Administration: None.

ACTION OF BOARD—Laid over to March 13, 1934, at 2 p. m., on written request of appellant.

244-32-A.

APPELLANT—Ansonia Fire Prevention Engineering Co., Inc., for Max Abramson, owner.

SUBJECT—Application for withdrawal—previously laid over for full vote of board—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—3700-3708 Main street (Block No. 841, Lot No. 30), Flushing, Borough of Queens.

APPEARANCES—

For Appellant: None.

ACTION OF BOARD—Appeal withdrawn on written request of appellant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

255-33-A.

APPELLANT—John Hamberger, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—86-19 102d street (Block No. 181, Lot No. 43), Richmond Hill, Borough of Queens.

APPEARANCES—

For Appellant: None.

ACTION OF BOARD—Appeal withdrawn to comply with fire department order.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

2-34-A.

APPELLANT—W. F. Steffens, for Park-Lexington Corporation, lessee.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—241-259 Park avenue (Block No. 1301, Lot No. 1), Manhattan.

APPEARANCES—

For Appellant: W. F. Steffens.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

385-33-A.

APPELLANT—Samuel Rosenblum, for Estate of Edith C. Bryce, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—387-393 Fourth avenue (Block No. 883, Lot No. 1), Manhattan.

APPEARANCES—

For Appellant: Samuel Rosenblum.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(385-33-A)

WHEREAS, Samuel Rosenblum, for the Estate of Edith C. Bryce, owner, filed, December 27, 1933, an appeal from an order of the commissioner of buildings affecting premises 387-393 Fourth avenue (Block No. 883, Lot No. 1, Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated December 6, 1933, Order No. 7429-F, reads:

"1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Sec. 580-1, Ch. 5, Code of Ordinances and Rules of the Board of Standards and Appeals."

WHEREAS, the building is fireproof, 12 stories in height, 98 ft. 9 in. by 166 ft. 8 in. in area; OCCUPIED for the manufacture of clothing in general, not more than 60 persons per story; and

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WHEREAS, the appellant claims the existing standpipe system was installed at the time the building was erected in 1909, under the approval of all Departments having jurisdiction at that time; the system is fed from a 7,500 gallon house supply tank, the bottom of which is 9 ft. 6 in. above the hose outlet of the highest story; the entire building is also covered by an automatic sprinkler system connected with the National District fire alarm system and fed from two (2) 13,000 gallon gravity tanks, two (2) 7,000 gallon pressure tanks and two (2) 3,500 gallon pressure tanks, providing ample water supply for the premises; the 7,500 gallon house and standpipe supply tank is constructed on steel work within a penthouse used solely for the storage of tanks on the roof; the raising of this tank in compliance with the order would necessitate an extensive alteration and impose an undue hardship upon the owner; however, the appellant proposes to rearrange the house water supply pipe connections with the tank so as to maintain a reserve of 3,500 gallons solely for standpipe purposes as required under the present standpipe rules; furthermore, the appellant contends the fire fighting equipment would then be adequate.

Resolved, that the order of the commissioner of buildings be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the gravity tank to remain at its present height *on condition* that the bottom of the tank shall be not less than 8 ft. 6 in. above the hose outlet in the highest story; that the standpipe system shall otherwise comply with Rule 91 of the Standard-Fire-Line Rules; that the hose nozzles in the top or 12th story shall be changed to $\frac{1}{2}$ in. diameter; that the standpipe tank shall be so arranged that there shall be a reserve for standpipe purposes only of not less than 3,500 gallons of water at all times; that the sprinkler system shall be maintained in accordance with the Sprinkler Rules; and that the Labor Law shall be complied with in all respects except that cigar stands in the stair hall may be continued as granted under Cal. No. 312-26-S.

18-34-A.

APPELLANT—John J. Gilmartin, for Coleman Holding Corp., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—39 West 25th street (Block No. 827, Lot No. 14), Manhattan.

APPEARANCES—

For Appellant: John J. Gilmartin.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(18-34-A)

WHEREAS, John J. Gilmartin, for Coleman Holding Corp., owner, filed, January 26, 1934, an appeal from an order and a decision of the commissioner of buildings, affecting premises 39 West 25th street (Block No. 827, Lot No. 14), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated December 5, 1933, re Order No. 7395-F, reads:

"YOU ARE HEREBY ORDERED AND REQUIRED, forthwith:

"2. Provide iron shutters at all openings on the exterior wall above 1st story which are distant in a direct line less than 30 ft. 0 in. from any opening in any other building and not in the same place with said openings and which are not more than 50 ft. 0 in. above a neighboring roof at the north side of the

building, or other approved protection, as per Section 375, Art. 18, Ch. 5, of the Code of Ordinances."; and

WHEREAS, the decision of the commissioner of buildings, dated January 19, 1934, reads:

"In reference to your request to rescind Order 7395-F, requiring iron shutters on the north side of the above premises above the 1st story, in accordance with the requirements of Section 375, Chapter 5, Code of Ordinance, you are advised that as this building exceeds 40 ft. in height and is occupied as a business building, your request must be denied. If the order is complied with on the occupied stories, the balance of the Order will be held in abeyance until the vacant stories are occupied."; and

WHEREAS, the building is non-fireproof, 4 stories and basement (56 ft.) in height, 25 ft. by 66 ft. in area; OCCUPIED: basement, 1st and 2nd stories, office furniture salesrooms, total of 4 persons; 3rd and 4th stories, vacant; located within a business use district; and

WHEREAS, the appellant claims there are only six (6) window openings in the north wall of the building affected by the order; the openings causing the exposure are fireproof windows of a 11-story fireproof, sprinklered building adjoining at west; the area and occupancy of the building under appeal is very small; furthermore, the occupancy is non-hazardous, also it would cause an undue hardship upon the owner if compelled to comply with the order at this time due to a heavy loss sustained by the two highest stories being vacant for a long period.

Resolved, that the order and decision of the commissioner of buildings be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, so long as the building is not increased in height or area and so long as no additional exposure is constructed in the rear, other than the fireproof wire glass windows existing in the adjoining 11-story sprinklered building to the west, *on condition* that if the building is used for manufacturing purposes the Labor Law shall be complied with in all respects, except that the exit from the yard to the street may be as granted by the board under Cal. No. 828-24-S.

APPLIANCES SUBMITTED FOR APPROVAL.

346-33-SA.

PETITIONER—Arthur B. Goodspeed, owner.

SUBJECT—Goodspeed Oil Burner Nozzle Type II, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the board and the bureau of combustibles, fire department for test and report.

210-29-SA.

PETITIONER—John Simmons Company, owner.

SUBJECT—A Diamond "S" 250 lbs. $2\frac{1}{2}$ in. Angle Globe Water Hose Valve, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn on written request of petitioner.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

193-33-SA.

PETITIONER—Leo Fixler, for Nemes and Gluck, owners.

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SUBJECT—Nemes-Gluck Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commission-

ers Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

213-28-SA.

PETITIONER—Ford Regulator Valve Co., Inc., Agent:

John W. Sullivan Co., Inc.

SUBJECT—Ford Automatic Pressure Regulating Valve.

approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of

prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-

ers Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(213-28-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

204-33-SA.

PETITIONER—David Kaufman, for John M. Richardson, owner.

SUBJECT—Mohawk Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of

prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-

ers Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(204-33-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

100-33-SA.

PETITIONER—Blaw-Knox Co., owner.

SUBJECT—Blaw-Knox (Madsen) Fuel Oil Pump, ap-

proval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of

prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-

ers Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(100-33-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

561-32-SA.

PETITIONER—International Business Mart, Inc., for T.

Bordon Hoagland and E. Cooper Wills, owners.

SUBJECT—Wills Fuel Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of

prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-

ers Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(561-32-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

125-32-SA.

PETITIONER—David Kaufman, for The Beacon Burner

Mfg. Corp., owner.

SUBJECT—Beacon Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of

prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-

ers Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(125-32-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

615-32-SA.

PETITIONER—Metro Utilities Corp., owner.

SUBJECT—Metro Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of

prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-

ers Peppe, Savage and Blum and Assistant

Chief Kidney 5

MINUTES

Negative 0
Absent 0

THE RESOLUTION—

(615-32-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

Adjourned, 3:15 p. m.

EDWARD V. BARTON, Chief Clerk.

RULES

RULES FOR THE TESTING OF WOOD

Pursuant to the Provision of Section 356 of Chapter 5 of the Code of Ordinances (Building Code).

(639-27-SR)

Adopted by the Board of Standards and Appeals July 22, 1927. Amended March 16, 1928.

Rule 1. Before any wood may be used for flooring or interior trim where incombustible materials are required under the provisions of section 356 of the Building Code, the commissioner of buildings must be notified promptly upon the delivery at the job of a consignment of such material. One test sample for each 2,000 feet of material will then be selected by a representative of the Department of Buildings, marked for identification, and forwarded to the testing laboratory, where, under the supervision of the commissioner of buildings or his representative, the samples shall be subjected to the following tests:

Before making tests, all specimens for testing shall be oven dried at a temperature of 140° F. to a point where there is no further loss of weight due to evaporation of moisture content.

A. **SHAVING TEST**—A mass of shavings cut fairly thick from the outside and interior of sticks of the treated wood are to be tested separately. These shavings shall be placed to a depth of two inches in a metal vessel twelve inches square, the bottom of which shall consist of a wire screen of ½ inch mesh. The shavings shall be packed down moderately to reduce the air spaces. A Bunsen yellow flame shall then be placed beneath the receptacle so that the flame is in contact with the shavings. After twenty-five seconds the flame shall be removed. The flame at no time should show higher than six inches above the top of the bed of shavings and the shavings should not be consumed in less than five minutes.

B. **TIMBER TEST**. Two samples ¾ inch by 1½ inches in cross section and twelve inches long shall be

laid side by side across the top of a gas crucible furnace with a pyrometer between them. The specimens shall be subjected to a flame at 1700 deg. Fahrenheit for two minutes, the test pieces shall then be removed, and the time of duration of flame and glow observed. The sticks shall then be cut through the middle at the most burned section and the area of the unburned wood measured with a planimeter. The flame must not persist longer than 15 seconds nor the glow longer than 20 seconds, and, in the case of hard woods, the unburned area should not be less than 55 per cent., nor in the case of soft woods less than 45 per cent.

C. **CRIB TEST**—Twenty samples are to be prepared, each ½ inch square and 6 inches long. These shall be built up on a ring support to form a crib work five tiers high, four sticks to a tier, making the crib six inches by six inches, and approximately 2½ inches high. The crib shall be set six inches above a Bunsen burner to which the crib shall be exposed for a period of one minute at a temperature approximating 1200 deg. Fahrenheit. The flame must not persist more than twenty seconds after the Bunsen burner is removed, nor the glow last more than thirty seconds. The tendency of the flame to spread from stick to stick must also be noted.

Rule 2. All of the above tests shall be at the expense of the owner or contractor, or other interested party.

If the tests are satisfactory the entire shipment will be permitted to be taken into the building and used. If not, the entire shipment shall be condemned and must be removed from the premises.

In general, acceptance shall be predicated upon the existence of a complete plant in full working order from which the material is shipped, and each shipment, or, where possible, each piece shall be trade marked in a conspicuous manner so that there may be no doubt as to its identity.

APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady.....	231-30-SA
Elkhart	15-31-SA

PUBLIC HEARING

PROPOSED REVISION OF FUEL OIL RULES.

[217-21-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, March 16, 1934, at 2 P. M., Room 1013, Municipal Building, on Proposed Revision of Fuel Oil Rules. Matter in *italics* is new; matter in brackets [] old matter to be omitted.

Oil Burner Rules

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Scope.

(a) No person shall install oil-burning or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 1. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals installed prior to the adoption of these rules shall be accepted.

[DEVICES:

No person, firm, company or corporation shall within the limits of the City of New York use any device or apparatus for burning fuel oil within the meaning of these rules unless such device or apparatus shall have been approved by the Board of Standards and Appeals.]

DISCHARGE LINE shall be the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS are building used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For Protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (½") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL [LINE] PIPE is that portion of the line between the fill [box] pipe terminal and the fill pipe connection in the storage tank.

[FIRE RETARDING MATERIALS:

(a) One-half (½) inch plaster boards, or asbestos boards, or three-eighths (¾) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.]

[FIRM FOUNDATION: A firm foundation is one which will carry the maximum load to which it shall be subjected without exceeding the safe bearing capacity of the soil.]

[FUEL] OIL: Any liquid mixture, substance or compound, derived from petroleum, [which does not emit an inflammable vapor below a temperature of 125° F. when tested in a Tagliabue open cup tester] including kerosene, fuel oil, as defined in the code of ordinances, Chapter X, Article I, Code of Ordinances.

The use of crankcase refuse oil as fuel oil is strictly prohibited unless used with burners designed to burn No. 5 U. S. commercial standard grade oil.

FULL DISHED HEAD: A head having a curvature with a radius not greater in length than the diameter of the tank.

OIL LEVEL INDICATING DEVICE [GAUGING DEVICE:] A means by which the level of the oil in a storage tank may be indicated.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

PREHEATERS: A device for heating fuel oil for the purpose of decreasing the viscosity.

MASONRY: Shall mean constructed of brick, stone, concrete, hollow building blocks, or a combination of these materials as set forth in the Code of Ordinances, Chapter V, Article 13, Section 251.

[OIL] BURNER: A device designed for the purpose of burning fuel oil.

[OVERFLOW PIPE: A pipe which conveys by gravity the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.]

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

RELIEF LINE: That portion of the line between the by-pass connection of the relief valve and the supply line or storage tank.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

REMOTE CONTROL: A hand, electric, or mechanically operated device to shut off the oil supply. A thermostat will not be accepted as complying with this rule.

[RETURN LINE: A line for the purpose of conveying by-passed oil to a storage tank.]

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

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SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

SUPPLY LINE: That portion of the line between the storage tank and the oil pump inlet connection. Where a pump is not used it shall be that portion of the line between Storage Tank and the burner oil inlet connection.

[SWING JOINT: A connection made in a pipe line by means of a combination of fittings so that the tank can settle naturally without breaking the line or impairing the efficiency of the connection.]

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 2 (a). Manner of Storage for Fuel Oil.

Fuel oil, to be used for heating and power purposes, shall be at all times stored in metal tanks with all openings or connections through the tops of the tanks.

[(b). Oils Not Permitted.]

Oils derived from or including petroleum that have a flashpoint below a temperature of 125 degrees Fahrenheit, when tested in a Tagliabue open cup tester, shall not be used as a fuel to produce heat or power.

(c) Fuel Oil within the meaning of these rules, having a flashpoint between 125 degrees and 150 degrees Fahrenheit, may be used for heating when the quantity stored is limited as prescribed in rule 4, section 1, subdivision i. If used in tenement houses, commercial or industrial plants, a certificate of fitness for the operator of the plant shall be required as per rule 15.]

(b) Oil Permitted.

Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flashpoint not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22).

[Rule 3. Location, Protection and Capacity of Tanks for the Storage of Fuel Oil.]

(a) In all buildings fuel oil storage tanks over 275 gallons shall be buried below the floor of the lowest story or, if in the judgment of the Superintendent of Buildings the burial of tanks is not practicable by reason of soil, foundation or structural conditions, the tanks may be placed in the lowest story, subject to the requirements hereinafter set forth.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway.]

Rule 4. Location, [Protection and Capacity of Tanks for the Storage of Fuel Oil.] of Storage Tanks and Containers.

Section 1. Inside of Buildings [Above Ground.]

[(a) Tanks having a capacity of 275 gallons or less may be installed in lowest story of dwellings as outlined in these Rules when located at least ten (10) feet, measured horizontally from any fire or flame, provided such tank shall be mounted on substantial incombustible supports and firmly anchored to floor and ceiling or floor and wall, or to a weight greater than the buoyancy of tank when empty to prevent floating; such support to meet the approval of the

Fire Department. When this type of installation is used, the provisions of subdivisions b to j shall not apply. This subdivision shall apply only to one and two-family dwellings.

(b) Where tanks cannot be buried and are located in the lowest story of any building, they shall be placed in an enclosure, the walls, floor and roof of which shall be constructed of reinforced concrete not less than eight (8) inches in thickness, or twelve (12) inches of masonry and of dimensions six (6) inches greater on all sides than the outside dimensions of the tank.

(c) The walls of the enclosure shall be carried up to a height not less than one (1) foot above the tank and roofed over with reinforced concrete or similar fireproof construction capable of sustaining a load of three hundred (300) pounds per square foot.

(d) The roof of every enclosure shall contain a manhole with fireproof cover properly weighted, but not fastened, placed immediately above the manhole in the top of the tank.

(e) A space of least two (2) feet shall be maintained between the top of the roof of the enclosure and the ceiling immediately above.

(f) The space between the tank and the walls and roof of the enclosure shall be completely filled with dry upland sand or earth well tamped.

(g) Not more than one tank shall be placed in an enclosure.

(h) In frame buildings the total storage capacity of tanks shall not exceed five thousand (5,000) gallons.

(i) In non-fireproof and fireproof buildings, if tanks properly enclosed or covered as above required are located in a fireproof or detached room which is cut off from the rest of the building vertically and horizontally in an approved manner and if such room is ventilated to the outside air, the total storage capacity shall not exceed fifty thousand (50,000) gallons, with an individual tank capacity of not exceeding twenty thousand (20,000) gallons.

(j) In dwellings as defined in these rules the total storage capacity of fuel oil with flashpoint between 125 degrees and 150 degrees of Fahrenheit shall not exceed 1,100 gallons.]

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, permanently attached to tanks, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallon storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

A storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty-thousand (20,000) gallons.

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(d) *All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.*

[Section 2. Inside Buildings Below Ground.]

[(a) When a tank is buried beneath a building its capacity may be increased one hundred (100) per cent above that allowed for an inside tank as established in connection with buildings of such construction as specified in Rule 4, Section 1 (h) and (i).]

(b) Tanks shall be buried underground below the level of any piping to which they may be connected with the tops of the tanks not less than two (2) feet below the surface of the ground; or, in lieu of the two (2) foot cover of earth, tanks may be buried under twelve (12) inches of earth, covered by at least six (6) inches of concrete which shall extend at least one (1) foot beyond the horizontal outline of tanks in all directions. Where necessary to prevent floating, tanks shall be securely anchored.

(c) Tanks shall be set on concrete or metal cradles which shall be placed on firm soil and surrounded with soft earth or sand. Tanks shall be completely encased with six (6) inches of concrete when buried in soil the nature of which would make additional protection necessary.]

Section 3. Outside of Buildings Above Ground.

[(a) Where vertical tanks of one hundred and fifty thousand (150,000) gallons capacity or less are located outside of buildings and placed above ground, the tanks shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters, and in no case less than ten (10) feet, from the line of adjoining property, or the nearest building or adjacent tank.

(b) Where horizontal tanks of one hundred and fifty thousand (150,000) gallons or less capacity are located outside of buildings and placed above ground, the tanks shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters measured from the end of the tanks and not less than two (2) tank diameters measured from the side of the tanks, and in no case less than ten (10) feet from the line of adjoining property, or the nearest building or adjacent tank.

(c) Where existing outside above ground storage tanks of one hundred and fifty thousand (150,000) gallons capacity or less have been placed closer together than one and one-quarter ($1\frac{1}{4}$) tank diameters, a fire wall shall be built to a height of at least two (2) feet above the height of the highest tank completely separating the tanks for their full diameters or lengths.

(d) Tanks placed above ground shall be set on firm foundations and, if elevated, their supports shall be constructed of fireproof materials. All tanks shall be electrically grounded.]

(a) *Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameter and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:*

<i>If distant 25 feet from line of adjoining property which may be built upon..</i>	<i>16,000 gallons</i>
<i>If distant 30 feet.....</i>	<i>24,000 "</i>
<i>If distant 40 feet.....</i>	<i>36,000 "</i>
<i>If distant 50 feet.....</i>	<i>48,000 "</i>
<i>If distant 60 feet.....</i>	<i>60,000 "</i>
<i>If distant 75 feet.....</i>	<i>96,000 "</i>
<i>If distant 85 feet, or more.....</i>	<i>100,000 "</i>

(b) *Above-ground storage tanks shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly*

and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3'), and a slope of at least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced.

Section 4. Outside of Buildings Below Ground.

[(a) Tanks shall be buried underground below the level of any piping to which they may be connected, with the tops of the tanks not less than two (2) feet below the surface of the ground; or, in lieu of the two (2) foot cover of earth, tanks may be buried under twelve (12) inches of earth, well tamped, covered by at least six (6) inches of concrete, which shall extend at least one foot beyond the horizontal outline of tanks in all directions. Where necessary to prevent floating, tanks shall be securely anchored.

(b) Tanks shall be set on concrete or metal cradles which shall be placed on firm soil and surrounded with soft earth or sand well tamped. Tanks shall be completely encased with six (6) inches of concrete when buried in soil the nature of which would make additional protection necessary.]

(a) *Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh.*

[Section 5. Common Fill and Header Line.

Where a battery of tanks is installed containing the same degree of oil a common fill and header line may be installed provided the area of the fill or header line is equal in sum total to the area of the branch fill lines, and each branch line is provided with a shut-off valve, not more than four (4) tanks will be permitted in any one battery.

Section 6. Embankments and Dikes.

(a) Above ground storage tanks shall be protected by an embankment or a dike. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded, and shall be at least four (4) feet high, but in no case higher than one-quarter ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen (16) feet. Embankments or dikes shall be made of earth-work with clay core; of masonry or of impervious reinforced concrete. Earth-work embankments shall be firmly and compactly built of good earth from which stones, vegetable matter, etc., have been removed, and shall have a flat section at top of not less than three (3) feet and a slope of at least one and one-half ($1\frac{1}{2}$) to one (1) on both sides. Concrete or masonry dikes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded.

(b) Embankments or dikes shall be continuous and unpierced. Piping shall be carried either over or under embankments or dikes in such a manner as not to interfere with the efficiency of the enclosure.]

[Rule 5. Fire Extinguishing Equipment.

(a) Every tank with a capacity of over five thousand (5,000) gallons inside of buildings and ten thousand two hundred (10,200) gallons outside of buildings shall be equipped with a system of steam pipes, blanketing gas or other approved system for use in case of fire, so arranged and installed as to adequately protect the buildings or surrounding property.

(b) When steam is used, the steam supply pipe shall not be less than one-half ($\frac{1}{2}$) inch in size. The boilers shall be conveniently located, and the steam to the extinguisher lines shall be controlled by easily accessible valves.

(c) Near each boiler or furnace of fuel oil burning unit there shall be kept ready for use two portable fire extinguishers of not less than one (1) quart capacity each or other equivalent fire extinguishers for extinguishing oil fires.]

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Rule 6. Material and Construction of Tanks [for the Storage of Fuel Oil.]

[Section 1. Cylindrical Tanks (except vertical tanks located outside of buildings above ground).]

(a) All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, etc. All steel must be new, in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

(b) All tanks must be welded, riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates.

(c) Thickness of cylindrical tanks:

Tanks 36 in. in diameter and less— $\frac{1}{4}$ in. shell, $\frac{1}{4}$ in. heads.

Tanks 37 to 72 in. in diameter— $\frac{1}{4}$ in. shell, $\frac{5}{16}$ in. heads.

Tanks 73 to 120 in. in diameter— $\frac{5}{16}$ in. shell, $\frac{3}{8}$ in. heads.

Tanks over 120 inches in diameter to be of $\frac{3}{8}$ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

(d) All cylindrical tanks shall preferably be built with dished heads. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

(e) Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{3}{8}$ in. diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. diameter rivets $2\frac{1}{2}$ in. pitch.

Section 2. Rectangular Tanks.

(a) All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

(b) Corners may be made up by bending the plates or by use of angles.

(c) Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

(d) All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural members, which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tank, as the case may be.

(e) When structural members are used such as angles, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

(f) When structural reinforcing members are tied together with braces, in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken on the minimum net section.

(g) If structural members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

(h) The fastening between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

Section 3. Oval or Obround Tanks.

Oval or obround tanks not exceeding a capacity of 275 gallons may be used in dwellings as defined in these rules

when constructed of No. 10 gauge open hearth steel free from laminations or cracks. The tanks to be equipped with flanged and dished heads. The radius of dishing of heads to be equivalent to the small diameter of tank, a $\frac{1}{2}$ -inch flange is to be used.]

Section 1. All Tanks Except Vertical Above Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109") 4.375 pounds per square foot.

(b) All shop fabricated storage tanks shall have a permanently fixed plate bearing the name of the tank manufacturer and shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed to withstand a hydrostatic test of twenty-five (25) pounds per square inch without distortion, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed to withstand a hydrostatic pressure test without distortion, rupture or leakage, as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have full dished heads.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material.

(h) Manhole covers, where used, shall be bolted or otherwise secured to the tank and made gas tight.

[Section 4. Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.]

(a) Vertical tanks located outside of buildings above ground shall be built of steel plates of the quality required for cylindrical tanks.

(b) The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

r equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

(c) Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

(d) In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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(e) Tanks for storage of oil shall be constructed in accordance with the requirements of this rule, except that tanks of a capacity of over 60 gallons and not more than 550 gallons may be constructed of steel not less than 3/16 inches in thickness.

(f) Auxiliary supply tanks of 60 gallons or less capacity may be constructed of brass, copper, steel or wrought iron of not less than No. 14 U. S. gauge.]

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch (1/4") and the minimum thickness of roof plates shall be one-eighth inch (1/8") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall show no distortion or leaks when completely filled with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of ten (10) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of twenty-five (25) pounds per square inch without distortion, rupture or leakage and shall be approved as provided in Rule 12(b). Glass storage containers shall not exceed three gallons capacity and shall be approved as provided in Rule 12(b).

(b) If storage containers are for pressure feed they shall be not larger than ten (10) gallons capacity and shall be designed for six (6) times the maximum working pressure and shall withstand a hydrostatic pressure test of one hundred (100) pounds per square inch without distortion, rupture or leakage. The maximum working pressure shall not exceed fifty (50) pounds per square inch. Such pressure storage containers shall be provided with a pressure relief valve permanently set to discharge at a pressure not greater than fifty (50) pounds per square inch, shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit and shall be approved as provided in Rule 12(b).

[Section 5. Welding.

(a) Where welding is to be used for a part or for the entire tank, the tank shall be fabricated as required under Rule 6, Section 1.

(b) All welded seams of plates shall be lapped or butted.

When the joint is a lapped joint, the sheet shall be lapped not less than two inches and welded both inside and outside. The plates shall be pulled up tight, metal to metal, before welding and kept tight together during welding. Both inside and outside welds shall be of full 45 degree fillet.

Where a butt joint is used, it shall be of the 90 degree double V type welded both inside and outside and reinforced to a total thickness of at least one and one-half times the plate thickness.

(c) All heads shall be flanged, the straight part of the flange being not less than as follows:

For 3/16 inch heads, 1 3/4 inch flange.

For 1/4 inch heads, 2 inch flange.

For 5/16 inch heads, 2 inch flange.

For 3/8 inch heads, 2 1/4 inch flange.

For heads over 120 inches diameter the flange shall be increased in length by one-half inch for each increase in diameter of 2 feet.

Where heads are set into the shell, they shall be a driving fit and the shell shall fit the head closely all around. If

of over 1,100 gallon capacity they shall be welded inside and outside with full fillet welds. If of 1,100 gallon capacity or less and not over 48 inches in diameter, welding on the outside only will be sufficient.

Where the heads are butt welded to the shell, the head welds for tanks of 1,100 gallon capacity or less and not over 48 inches in diameter, shall be of the 90 degree single V type welded entirely through and reinforced not more than one-quarter of the shell thickness. For tanks of over 1,100 gallon capacity the head welds shall be of the 90 degree double V type welded inside and out and reinforced to a total thickness of not less than one and one-half times the shell thickness.

(d) Where tanks are made up of two or more rings the welded longitudinal joints of adjacent sections shall break joints. At no point of a butt girth shall the sheet on one side be offset with the sheet on the other side in excess of one-half of the thickness of the plate. All butt girth joints shall be welded inside and out and reinforced to at least one and one-half times the plate thickness, except that for tanks of 1,100 gallon capacity or less and not over 48 inches diameter, they may be of the same construction as the head seams.

(e) Where braces are welded to the plates the welding shall be done in such a manner as to develop the full net sections of the braces; in other words, the brace will break before the connection will let go.

Braces made in more than one piece shall not be joined together by any method of welding.

Section 6. Rust Proofing.

All tanks shall be thoroughly coated on the outside with tar, asphaltum or other suitable rust resisting material. Where soil contains corrosive substances, special protection may be required. Tanks shall not be coated until after the necessary tests have been made.

Section 7. Manhole Covers.

Manhole covers shall be of cast iron, cast steel or of the same material as used in the construction of the tank enclosure. On tanks placed inside buildings, the manhole shall be bolted or otherwise secured to the tank and made gas tight. All tanks over 1,100 gallons capacity shall be provided with a manhole of at least 11 in. by 16 in.]

Rule 7. [Tests of Tanks and Piping for the Storage of Fuel Oil.

Tanks and piping to burner shall be tested hydrostatically or with oil at a pressure of not less than 10 pounds per square inch. Those parts subjected to a pressure exceeding 10 pounds per square inch shall be tested at pressure at not less than 1 1/2 times the maximum pressure to which it is subjected. The hydrostatic pressure on a tank shall be determined by measuring in feet the height from the lowest point in the tank to the highest oil reservoir from which the tanks may be filled. This distance divided by 2.3 for water or its equivalent for oil will give the equivalent pressure in pounds per square inch at the bottom of the tank. Tanks and piping may be tested with oil provided the installation is complete and the pressure applied at the burner end of the supply line. There shall be no fire or flame in the room or rooms in which the test is being conducted or when repairs are being made to defective tanks. All tests shall be conducted in the presence of a representative of the Fire Commissioner and shall be continued for thirty minutes. No repairs shall be made to defective tanks within twenty-four hours of removal of oil from tank and purging of same of all explosive gases by steam, air or water.

The contractor shall furnish all the necessary equipment for conducting the tests.]

Permits, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Administrative official.

(b) Applications for permit shall be made on a form furnished by the Administrative official and shall provide for the location of the building in which the installation is

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to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burner, capacity, number and location of storage tanks, together with such other information as may be required by the Administrative official.

(c) No permit shall be issued until the installation has been inspected by a representative of the Administrative official.

Section 2. Inspection and Tests of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping connected thereto shall show no leakage when completely filled with oil.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with oil or water as follows:

- (1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.
- (2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the Administrative official.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 3. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances, Chapter X, Article 3, Section 43. A fee of \$1.00 shall be paid for each additional inspection required by reason of installation being incomplete or non-compliance with these rules.

Rule 8. Piping [for Fuel Oil.]

Section 1. Installation of Piping.

[(a) Piping shall be run in a substantial and workman-like manner and provision made for expansion, contraction and settlement. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. Where the top of the tank is below the level of the burner oil inlet connection, the supply line from the tank shall be run above the level of the bottom of the tank so as to prevent syphoning. Cross connections permitting gravity flow from one tank to another are prohibited. All pipes connected to tank except measuring well or gauge pipe shall be provided with double swing joints at tank. All threaded joints shall be made tight with litharge and glycerine or equivalent suitable pipe compound.

(b) All piping shall be of standard full weight brass, copper, wrought iron or steel for working pressures less than one hundred (100) pounds per sq. in. for working pressures in excess of one hundred (100) pounds per sq. in., extra heavy seamless drawn tubing and drop forged fittings shall be used. No pipe less than one-half ($\frac{1}{2}$) inch outside diameter shall be permitted.

(c) All connections shall be tight and shall have well-fitted joints.

(d) Tubing and couplings, where used in connection with mechanical burners, shall be capable of withstanding a pressure equal to the piping to which it is connected and shall be constructed of fire resisting materials. No soldered

connection shall be used. The length of tubing shall not exceed that required for direct connections to coupling.

(e) Overflow pipes, when required, shall be not less than one size larger than supply pipe.]

(a) Piping shall be run in a substantial and workman-like manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible tubing, when used, shall be of fireproof material. Soldered connections are prohibited.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve. [The relief line shall be returned to storage tank or to supply line near pump. There shall be no shut-off valves in the relief line.] The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

(b) [All] oil pre-heaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than $1\frac{1}{2}$ times the maximum working pressure of the system.

Section 3. Fill Pipes.

[(a) Each tank shall be provided with a separate fill pipe, except as otherwise stated in these rules, which shall be carried below the supply line in the tank or otherwise trapped to prevent escape of oil vapor. The fill pipe shall be made up with screwed or flanged fittings securely held in place and shall be oil tight. Each fill pipe shall be provided with means for locking and located at or above grade outside of the building within thirty (30) feet from curb or private right-of-way and located as remote as practicable from any building opening, subway gratings or elevated column, but not less than three (3) feet therefrom.]

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or driveway.

[(b) Where the top of the tank is above the fill box the fill pipe shall be connected to the top of the tank and be provided with a gate valve sealed closed when not in use and a swing check valve, both gate and check valve to be located at the fill box.]

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

[(c) Where there is a storage system of volatile inflammable oil, and a storage system for fuel oil to be used in the same premises, the fill boxes shall terminate as far as possible from each other, and the cover of the fuel oil fill box shall be painted green and cover of gasoline fill box red, or covers of fill boxes to have one inch (1") raised letters stamped thereon reading—Fuel Oil, Gasoline.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

[(d) The terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting to be of a different size than that required for the fill pipes to gasoline tanks.]

(d) Fill pipe terminal shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil."

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(e) *Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.*

Section 4. Vent Pipes.

(a) An open vent pipe of [standard wrought] iron or steel without trap and draining to the tank shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the tank more than 1 inch.

Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks designed to hold the same degree of oil is installed, vent pipes may be run into a main header. [Connections to the header shall not be less than one foot above the level of the top of the highest reservoir from which the tanks may be filled. The main vent pipe and header shall be of an area equal to the aggregate area of vent pipes connected thereto.]

[(e) Vent openings in tanks shall be screened by 40 mesh non-corrodible wire screen, and shall be of sufficient area to adequately vent the tank during the filling operation. Vents shall be not less than two (2) inches in diameter for tanks over 1,100 gallons' capacity, and in no case less than one and one-quarter ($1\frac{1}{4}$) inches in diameter.]

(c) *Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more.*

(d) [Vent pipes shall be provided with weather-proof hoods and terminate outside the building above the street surface, not less than six (6) feet nor more than twelve (12) feet above the fill pipe. Such vent outlet shall not be located within two (2) feet in any direction of a window or other opening, or an exterior stairway, or fire escape, nor shall vent pipes be placed in elevator or dumb-waiter shafts, or in a closed court.]

(d) *Vent pipes shall be provided with weathproof hoods and shall terminate outside the building not less than three feet (3') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.*

[(e) If compelled, because of structural conditions, to carry the vent outlet higher than twelve (12) feet above the fill box, and if the fill lines are connected to tank trucks by tight connections and filled by pressure, a one (1) inch line shall be connected to tank and shall parallel the fill line and terminate in the fill box with unthreaded end. A check valve shall be installed in the line so as to permit excess oil in the tank to flow to the fill box and shall be so set as to prevent the passage of vapor to the street.]

[Section 5. Return Line from Burners.

Return lines from burners, where used, shall not be smaller in diameter than the discharge outlet from the pump. They shall be connected into the supply line near the pump or into the storage tank without shut-off valve in the return line. No oil shall be returned to the storage tank at a temperature higher than one hundred and forty (140) degrees Fahrenheit.]

Section 6. Heating Coils in Storage Tanks.

All heating to reduce viscosity of fuel oils in storage tanks in any building shall be only by means of hot water coils [thermostatically controlled and the oil shall not be heated above one hundred and forty (140) degrees Fahrenheit] or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 7. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oiltight when not in use.

Rule 9. Valves and Control of Oil Flow [for Fuel Oil.]

[(a) In all installations a shut-off valve shall be provided at or on each burner. Where the top of the storage tank is located above the oil inlet connection to the burner, a shut-off valve shall be provided in the supply line inside the building as near the tank as practicable.

(b) In systems where either steam or air is used for atomizing the oil, the oil and atomizing supply shall be interlocked so that in case of interruption of the atomizing supply, the supply of oil will immediately be cut off.

(c) Automatic by-pass valves shall be set at not more than fifty (50) per cent above the maximum working pressure. This rule shall not apply to burners and pumps approved as a unit when provided with a pressure relief device.]

(a) *Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity shall be provided with a shut-off valve at the tank and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.*

(b) *Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-siphon device located in the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-siphon device shall not be required.*

(c) *Oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a building only under the following provisions:*

1. *Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.*

2. *Such burners shall not be installed above the third floor level in any building. In no case shall oil be delivered at a height greater than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.*

3. *Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.*

4. *The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.*

(d) *A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located either inside or outside the entrance to the room in which the burner is located and as close to such entrance as practical, and shall be legibly labeled "Remote Control for Oil Burner."*

(e) *Except as provided by Rule 12 (b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.*

Rule 10. Oil Level Indicating Device [for Fuel Oil.] and Test Wells.

Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of fuel oil or vapor. [Test wells shall not be permitted in tanks located inside the building. Test wells when located outside the building shall be capped oil tight and kept closed when not in use.]

(b) *Test wells shall terminate outside of buildings and shall be capped oil tight and kept closed when not in use.*

(c) *All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings.*

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Rule 11. [Pumps for Fuel Oil.]

(a) Pumps shall be of a recognized standard mechanical construction approved by the Board of Standards and Appeals.

(b) Pumps shall be installed in duplicate where fire protection equipment is dependent on the use of fuel oil for heating or steam.

(c) Pumps located in the same room where burners are installed shall be provided with a remote control.

(d) Pumps used in connection with outside above ground storage tanks shall be located outside embankment walls, and at such a point that they will be accessible at all times, even if the oil in the tank or reservoir should be on fire.

(e) Pumps may be located below the top of the oil storage tanks or tanks where heavy oil is used having a gravity of not more than eighteen (18) degrees Baume and where the top of the tank or tanks is not more than ten (10) feet above the pump or pumps.

(f) Oil pumps used for supplying oil to the burners shall be rigidly fastened in place and secured against leaks.

(g) Where a pump is part of a burner unit and is used for atomizing purposes only, an additional approved pump may be used without the disconnection of the unit.]

Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 12. Burners [for Fuel Oil.]

[The burner mechanism shall be of recognized type approved by the Board of Standards and Appeals. In dwellings the burner shall be equipped with an overflow attachment or an automatic control to prevent flooding.

Where an approved burner unit includes a pump as part of the unit, said pump or burner may be disconnected and used in conjunction with any other approved burner or pump.

A remote control shall be provided whereby the flow of oil to any burner can be stopped and such control shall be located either inside or outside the entrance to the room in which the burner is located and as close to such entrance as practicable.

The damper shall be so constructed that it cannot completely cut off the passage of the flue gases at any time.

Adequate ventilation at least equivalent to area of the smoke pipe at the point where it enters the flue shall be provided in all rooms in which burners are installed.]

(a) *Burners, including oil-burning heaters, shall be approved type, provided with suitable safeguards to prevent abnormal discharge of oil.*

(b) *Approval of burners or oil-burning heaters designed for installation with storage of not more than ten (10) gallons shall include approval of storage containers and limitations of installation and fire protection. If more than ten (10) gallons storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than ten (10) gallons capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.*

(c) *These rules shall not apply to oil stoves, oil heaters or oil lamps, commonly used for household purposes, which employ capillary wicks essential to continuous combustion, or to portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.*

Rule 13. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney. (See Code of Ordinances, Chapter V, Article 19.)

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[Rule 13. General Devices for Fuel Oil.]

(a) Devices which are subject to breakage and escape of oil shall be prohibited.

(b) When preheaters are used thermometers with large clear reading scales, placed in thermometer wells with screwed top connections, shall be installed at convenient and prominent positions in the oil supply lines between the service tank and the pumps, and also between the pumps and the burner, to indicate the temperature of the oil.]

Rule 14. Instruction Cards.

Cards giving complete instructions for the care and operation of the fuel oil system shall be permanently fixed near the apparatus and maintained in readable condition.

Where burners or oil-burning heaters designed for use with storage of not more than ten (10) gallons' capacity (Rule 4 (b)) are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

[Rule 15. Operation of Plant, Other Than in Dwellings, Using Fuel Oil.]

No fuel oil burning plant, other than in dwellings as defined in these rules, shall be operated unless in charge of a person holding a certificate of fitness as issued by the fire department. A certificate of fitness will be required for each person who is directly in charge of the operation of the plant at any and all times.]

[Rule 16. Installation.]

No fuel oil installation shall be operated or oil placed in the system until after a permit has been issued by the Fire Commissioner. Plans for each fuel oil installation, except in dwellings as defined in these rules, shall be submitted to the Fire Commissioner for approval, together with a Certificate of the Superintendent of Buildings indicating that the proposed construction of the enclosure and the location of the tanks are in accordance with the requirements of the Building Code and these Rules.] Note: See Scope.

[Rule 17. Auxiliary Tanks for Fuel Oil.]

(a) Auxiliary supply tanks may be of the gravity type if suitable automatic safeguards to prevent abnormal discharge of oil at the burner are provided. The total capacity of such tank or tanks in any building shall not exceed 60 gallons.

(b) Auxiliary supply tanks, or storage tanks, shall not be located within ten (10) feet of any fire or flame, and where practicable shall be placed at an interior angle of the cellar, formed by the walls of the building.

(c) Auxiliary supply tanks shall be substantially and rigidly supported on metal frames or cradles and secured by 2x1/8-inch straps riveted or bolted to frame and securely fastened to wall of building by rigid metal braces.

(d) Where only an auxiliary tank is prescribed in these rules is used it shall in addition to complying with the requirements for auxiliary tanks comply with all requirements for the protection of a storage tank other than the enclosure.

(e) Auxiliary supply tanks or storage tanks not exceeding 275 gallons may be of the gravity type if suitable automatic safeguards to prevent abnormal discharge of oil at the burner are provided. When this method of installation is used the connection for discharge of tank may be made at bottom of tank. The total capacity of such auxiliary supply tank or tanks in any building shall not exceed 275 gallons. This rule applies only to one and two-family dwellings.]

[Rule 18. Pilot Light.]

Automatic systems, unless electrically ignited, shall be so designed that the flame cannot be extinguished by operation of the automatic control valve and a pilot light of adequate intensity shall be provided in each combustion chamber, so arranged as not to be easily extinguished.]

[Rule 19. Furnaces and Ranges.]

Stoves, ranges, hot air furnaces or other devices, originally designed for use of fuel other than oil, shall not be used in connection with oil burners unless spaces in which

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vapors might collect are adequately vented, and if used shall be of such construction as to withstand the maximum temperature which the oil burning device to be installed may generate.]

Rule 20. Fire Protection.

[(a) In dwellings, as defined in these rules, any wood-work, wooden lath and plaster partition or other combustible material within four (4) feet of the sides or back or eight (8) feet from the front of the heating apparatus shall be covered with fire retarding material. Above the heating apparatus there shall be constructed a ceiling of fire retarding material (unless it be of fireproof construction) said ceiling shall extend at least four (4) feet beyond the sides and back and eight (8) feet from the front.

(b) In all buildings, other than in dwellings as defined in these rules, and garages the fire protection shall consist of either a heating apparatus room constructed of fireproof partitions of not less than four (4) inches in thickness with all openings protected by fire retarding material; or the entire ceiling, if not of fireproof construction, shall be protected by fire retarding material, and all vertical openings leading from the elevation on which the heating apparatus is located shall be enclosed by fire retarding materials with openings protected by fireproof self-closing doors.

(c) No combustible material shall be maintained within ten (10) feet of a heating apparatus, unless protected or separated by fire retarding or fireproof material.

(d) The ceiling, unless of fireproof construction, directly over and for a space of two (2) feet beyond each side of any smoke pipe, shall be protected with fire retarding material, and in addition any smoke pipe, if within 9 inches of any combustible ceiling, shall be protected with a covering of 1-inch air cell asbestos, or its equivalent.

(e) The floor of all boiler rooms must be of fireproof construction.]

(a) *The clear distance between any non-insulated parts of boilers, furnaces, or other heating apparatus, including smoke pipe connections to flues and combustible material, shall not be less than eighteen inches (18"). Where such parts are insulated by two inches (2") of asbestos or equivalent, the clear distance shall be not less than nine inches (9").*

(b) *No rubbish or other combustible material shall be stored within five feet (5') of heating apparatus.*

(c) *Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.*

[Rule 21. Systems Prohibited.

The use of auxiliary tanks of the pressure type between pump and burner unit is prohibited. Pressure in storage tanks for the purpose of discharging oil is prohibited.]

Rule 22. [Use of Fuel Oil.]

[(a) These Rules shall not apply to gas companies storing or using fuel oil in the manufacture of illuminating gas for public use.

(b) The use of oil stoves, oil heaters or oil lamps commonly used for household purposes which employ a wick to absorb such oil in its combustion shall not be prohibited;

or shall the use of such oil be prohibited when used in a plumber's torch or similar apparatus.

(c) The use of oil burning heaters using 38 to 42 Baume oil not employing a wick and when feed tanks of heaters do not exceed a total capacity of six gallons and when heater is not used for cooking purposes will not be prohibited when burners are of a type approved by the Board of Standards and Appeals and meet with the following requirements:

1. Heaters shall be firmly anchored to the floor, set level, with the floor beneath heater protected by an asbestos or equivalent shield.

This shield to extend in all directions at least 12" beyond the outside of complete unit.

2. The heater shall be directly connected to a smoke flue, the area of any damper not to exceed 80% of the area of smoke flue.

3. The oil tank of the heater shall be filled from storage located outside room in which heater is installed.

4. This subdivision of Rule 22 shall not in any way set aside or waive provisions in these rules governing storage tanks, except as follows:

First—Outside Buildings.

Permit storage of not more than fifty-five gallons, maintained in metal shipping container equipped with approved hand pump.

Second—Inside Buildings.

Permit storage of not more than 275 gallons if installed and maintained in compliance with Rules 17 of these rules and equipped with an approved hand pump.

5. This subdivision applies only to dwellings as defined in these rules and prohibits the use of not more than one heater in any one room.

6. Heater installation shall comply with the requirements of the building code and heater shall not be connected in any manner to hot water, steam or hot air furnace flues.] See Scope.

Inspection of Installations With Not More Than Ten (10) Gallons Storage Capacity.

All installations of burners with not more than ten (10) gallons storage capacity (except where such installations are made in dwellings or in the dwelling portion of any building) shall be reported by installer to the Commissioner, giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 23. Modification.

When for any reason it may be impracticable to comply strictly with the foregoing rules or when additional protection is necessary, the [Fire Commissioner] administrative official shall have power [to modify their provisions so that the spirit and substance thereof shall be complied with. Such modification shall be endorsed upon the permit over the signature of the Fire Commissioner or designated representative of the Fire Commissioner.] to accept substitute methods and material so that the spirit and substance of these rules shall be complied with.

USE OF HYDRATED LIME IN CONCRETE

Adopted by the Board of Standards and Appeals, April 19, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Fluid Heat Oil Burner.....	361-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Franklin Domestic Oil Burner.....	560-26-SA
Air-Blast Oil Burner.....	579-32-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Alladin Oil Burner.....	298-26-SA	Fuelo Oil Burner.....	47-30-SA
Alexander Oil Burner.....	65-28-SA		
Arcoil Heat Machine.....	632-26-SA	Gar Wood Oil Burner.....	373-30-SA
Auto-Heat Oil Burner.....	284-33-SA	Gar Wood Oil Burner, Model K and Model K-3500	481-32-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	General Electric Fuel Oil Burner.....	434-32-SA
		General Electric Oil Burner, Type DA-2....	228-33-SA
Baker Automatic House Heating Burner....	1323-22-SA	Ghapco Steam Generator.....	348-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Gill Oil Burner.....	1231-23-SA
Berggren Oil Burner.....	764-26-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bettendorf Oil Burner.....	731-28-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Gulf Oil Burner.....	382-26-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA		
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hardinge Oil Burner.....	813-25-SA
Branford Oil Burner.....	36-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Branford Oil Burner, Model "A".....	461-32-SA	Harris Fuel Oil Burner.....	690-30-SA
		Hart Automatic Oil Burner.....	1162-24-SA
Caloroil Burner, Type AA.....	1361-24-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Carboradiant Oil Burner, Models V & VS....	16-31-SA	Hayward Oil Burner	696-30-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Heatiator Oil Burner.....	1346-23-SA
Carborundum Burner	571-29-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Heil Combustion Fuel Oil Burner, Type B... ..	295-29-SA
Carter-Korth Oil Burner	54-30-SA	Hercules Oil Burner.....	510-29-SA
Century Oil Burner.....	157-28-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Homer Domestic Oil Burner.....	1211-25-SA
Cook's Automatic Oil Burner.....	955-27-SA		
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Crescent Oil Burner	222-29-SA	International Mechanical Draft Oil Burner...	372-30-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	International Oil Burner.....	1305-24-SA
Crown Oil Burner, Type XA.....	426-29-SA		
Crystal Blue Flame Oil Burner.....	423-29-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
		Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Joyce Oil Burner.....	852-26-SA
D'Elia Oil Burner.....	155-31-SA		
Delco Heat Oil Burner.....	420-31-SA	K. F. C. Oil Burner.....	846-25-SA
DeWalt Oil Burner.....	541-31-SA	Kelco Oil Burner.....	237-33-SA
Dist-o-matic Oil Burner.....	663-28-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Doe Oil Burner.....	317-31-SA	Kleen Heet Oil Burner.....	62-24-SA
Doherty Oil Burner.....	943-26-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
		Kreager Oil Burner.....	367-30-SA
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA	Kres-Kno Oil Burner.....	443-28-SA
Economy Oil Burner, Type A-1.....	45-31-SA		
Eisler Automatic Oil Burner.....	481-27-SA	Laco Oil Burner, Model NL.....	670-30-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Lange Economical Oil Burner.....	355-33-SA
Ember-Glo Oil Burner.....	462-32-SA	Lawrence May Oil Burner.....	1034-27-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Leader Oil Burner.....	425-31-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Liberty Automatic Heater.....	129-28-SA
Espo Oil Gas Burner.....	1431-23-SA	Loneragan Automatic Oil Burner.....	208-33-SA
Evenheet Oil Burner.....	554-32-SA		
Everedy Oil Burner.....	102-33-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
		M. W. Oil Burning Water Heater.....	737-29-SA
Fairfield Oil Burner.....	584-31-SA		
Faultless Oil Burner.....	493-24-SA		
Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA		

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<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Magna Fuel Oil Burner.....	197-33-SA	S-K Oil Burner, Model F.....	369-33-SA
Majestic Oil Burner.....	693-30-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Marr Oil Heat Machine.....	765-26-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Master Fuel Oil Burner.....	350-32-SA	Schulze Home Oil Burner.....	1487-23-SA
Master-Kraft Oil Burner.....	83-33-SA	Scott-Newcombe Pioneer Oil Burner, Models C and CA.....	436-32-SA
May Oil Burner.....	68-24-SA	Security Oil Burner.....	56-28-SA
Mayfield Oil Burner.....	568-31-SA	Shepard Oil Burner.....	563-30-SA
Mayflower Oil Burner.....	124-29-SA	Shill Oil Burner.....	315-30-SA
McIlvane Oil Burner.....	544-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Silent Automatic Oil Burner.....	458-26-SA
Merco Oil Burner.....	637-29-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morrissey Oil Burner.....	673-27-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model 1000.....	345-31-SA
Morse Fuel Oil Burner.....	820-23-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
Mousette Oil Burner.....	887-25-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Airoil High Pressure Burner.....	185-29-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil Low Pressure Burner.....	186-29-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
National Rotary Oil Burner.....	836-25-SA	Stuhler Oil Burner.....	618-27-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Summerheat Oil Burner.....	581-26-SA
New Process Oil Burner.....	1071-27-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Nokol Automatic Burner.....	1078-24-SA	Sun Heat Oil Burner.....	603-29-SA
Nu-Way Oil Burner.....	773-26-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Oilbuilt Burner	85-33-SA	Sunway Oil Burner.....	624-30-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Oronoque Oil Burner.....	394-30-SA	Superfex Oil Burning Heater.....	491-31-SA
Orr Fuel Oil Burner.....	113-26-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Paramount Oil Burner.....	1193-25-SA	Superheat Oil Burner, Model D.....	254-33-SA
Paramount Oil Burner, Model A.....	617-30-SA	Sword Automatic Oil Burner.....	951-25-SA
Pascoe Oil Burner.....	1029-26-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Petro Domestic Burner.....	161-26-SA	Thoroburn Oil Burner, Model A-1-16-G.....	269-33-SA
Petro Model T Oil Burner.....	451-31-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Model W Oil Burner.....	452-31-SA	Timken Rotary Oil Burner.....	297-29-SA
Petro Burner, Model O.....	78-28-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Petro Burner, Model P-2.....	735-30-SA	Todd Spiro Oil Burner.....	470-31-SA
Petro Oil Burner, Model W-2	244-33-SA	Todd Spiro Burner (pump type).....	94-32-SA
Petro Oil Burner, Models W-1 and W-1½..	245-33-SA	Toridheet Oil Burner.....	63-28-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Powerlight Oilheat Burner.....	628-23-SA	United States Oil Burner.....	620-28-SA
Preferred Oil Burner.....	372-33-SA	Universal Fuel Oil Burner.....	6-24-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	Vaporoil Burner	44-32-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Vesta Oil Burner.....	451-26-SA
Quaker Burnoil Stove.....	11-31-SA	Victor Oil Burner.....	612-30-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victory Oil Burner.....	320-30-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Viking Oil Burner.....	396-32-SA
Rayfield Oil Burner.....	504-26-SA	Volcano Automatic Oil Burner.....	556-29-SA
Re-Ly-On Oil Burner.....	745-26-SA	Volcano Automatic Oil Burner, Model EW-1	341-33-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Wayne Oil Burner.....	1155-25-SA
Remington Oil Burner.....	891-26-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Williams Oil-o-matic Fuel Oil Burner, Williams Oil-o-matic, Jr., Models "K", "KA", "KB" and Model "JJ".....	918-22-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Rickard Oil Burner.....	1011-27-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Rightway Oil Burner.....	339-31-SA	Wizard Automatic Oil Burner.....	181-33-SA
Rotoflame Oil Burner.....	187-33-SA	York Automatic Oil Burner.....	44-29-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA		
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA		
S & K Wide Range Fuel Oil Burner.....	10-33-SA		

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Auto-Heat Oil Burner.....	284-33-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Automatic Oil Burner.....	1363-23-SA	National Airoil High Pressure Burner.....	185-29-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	National Airoil Low Pressure Burner.....	186-29-SA
Ballard Jr. Oil Burner.....	1176-27-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Best Calorex Burner.....	1464-21-SA	North American Low Pressure Oil Burner...	792-26-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Oilbilt Burner.....	85-33-SA
Burnwell Mechanical Burner.....	957-22-SA	Oronoque Oil Burner.....	394-30-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Model W Oil Burner.....	452-31-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
D'Elia Oil Burner.....	155-31-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
DeWalt Oil Burner.....	541-31-SA	Preferred Oil Burner.....	372-33-SA
Doe Oil Burner.....	317-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Enco Mechanical Oil Burner.....	509-30-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Frankfort Type P Oil Burner.....	1046-23-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Gem Fuel Oil Burner.....	111-26-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Ghapco Steam Generator.....	348-31-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Steam Oil Burner.....	183-22-SA
Grant Oil Burner, Model "C".....	232-32-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sun Heat Oil Burner.....	603-29-SA
Hammond Oil Burner.....	72-31-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Harris Fuel Oil Burner.....	690-30-SA	Sunway Oil Burner.....	624-30-SA
Hart Oil Burner, Model "H".....	221-33-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hayward Oil Burner.....	696-30-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
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Leiman Brothers Fuel Oil Burner.....	314-30-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Liberty Automatic Heater.....	129-28-SA	Vaporoil Burner	44-32-SA
Lientz Oil Burner.....	155-20-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Loneragan Automatic Oil Burner.....	208-33-SA	Wizard Automatic Oil Burner.....	181-33-SA
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		
Maxon Oil Burner (New Style).....	1036-22-SA		
May Oil Burner.....	68-24-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

737-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue, Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

814-27-SA—Elkhart Flush Type Siamese, approval of.

42-29-SA—Safe-Way Outlet Pressure Reducing Valve, approval of.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A", approval of.

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line, approval of.

32-31-SA—Ray-Dio Sunshine Oil Burner, approval of.

250-31-SA—Lunkenheimer 2½-inch, Figure No. 8610, Bronze Angle Hose Valve, 150 Pounds Water Working Pressure, approval of.

251-31-SA—Lunkenheimer 2½-inch, Figure No. 8613, Bronze Angle Hose Valve, 250 Pounds Water Working Pressure, approval of.

534-31-SA—Page Fuel Burner, approval of.

209-32-SA—Croker 4-inch Siamese, approval of.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida, approval of.

286-32-SA—Hubbard Silent Electric Oil Burner, approval of.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner, approval of.

528-32-SA—Weldon Extinguisher, approval of.

592-32-SA—The Ameroil Range Burners, approval of.

23-33-SA—Sunrex Range Oil Burner, approval of.

39-33-SA—Cutler-Hammer, Inc., Enclosed High and Low Water Float Switch for Standpipe Alarm Systems (Bulletin No. 10041), approval of.

62-33-SA—Florence Oil Heater, Model KC-8, approval of.

82-33-SA—Inferno Oil Burner, approval of.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns, approval of.

126-33-SA—Tower Range Oil Burner, approval of.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve, approval of.

164-33-SA—Firemaster Fire Extinguisher, approval of.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner), approval of.

195-33-SA—Bullet Automatic Oil Burners, Models A and B, approval of.

218-33-SA—Presto Gas Pressing Machine Burner No. 10, approval of.

222-33-SA—Dowie Combination Anti-Syphon Valve, approval of.

231-33-SA—Signal Engineering & Manufacturing Co. Interior Fire Alarm Box, approval of.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe, approval of.

271-33-SA—Perfect-Pantex Oil Burner, approval of.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters, approval of.

346-33-SA—Goodspeed Oil Burner Nozzle Type II, approval of.

349-33-SA—Herco Oil Burner, approval of.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1, approval of.

1-34-SA—Hager Silent Check Valve, approval of.

10-34-SA—Hupp Oil Burner, approval of.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

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		Granted on condition.....	32
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		Rules disapproved, rescinded or withdrawn.....	0
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Requests for extension of permit.....	1	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	4	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	9
Requests for interpretation.....	0	Requests for extension of time denied.....	0
Total	362	Requests for extension of permit granted.....	1
Disposed of	167	Requests for extension of permit denied.....	0
Cases pending February 28, 1934.....	195	Requests to install granted.....	0
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		Plans approved	4
		Plans disapproved	0
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		Administrative requests denied or withdrawn.....	0
		Interpretations	0
		Requests withdrawn or dismissed.....	3
		Total.....	167

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Court Decisions.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

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Minutes of Regular Meeting, March 6, 1934, at 2 P. M.

Notice of Public Hearing on Proposed Revision of Fuel Oil Rules.

Reserve Calendar.

Approved Fireline Hose Valves.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, March 12, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, March 19, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

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62-34-BZ.....	D.B.B.....	6502-6504 Fort Hamilton Parkway, Southwest corner of 65th st. (Block 5750, Lots 19 & 20), Brooklyn, Applic. 319-34
51-34-S.....	D.B.B.....	91-93-95 Harrison Place (Block 2998, Lot 45), Brooklyn, L. D. 0170
60-34-A.....	F.D.....	Southeast corner of Locust ave. & East 134th st. (Block 2583, Lots 365 & 369), Bronx, Decision
59-34-BZ.....	D.B.B.....	94-100 Clark st. & 1 Monroe place, Southwest corner (Block 237, Lot 43), Brooklyn, Applic. 941-34
58-34-A.....	F.D.....	3484 Fulton st., Southwest corner of Elderts Lane (Block 4152, Lot 26), Brooklyn, L. C. 37281
57-34-A.....	F.D.....	5255 74th street (Block 1594, Part of Lot 15), Maspeth, Queens, L. C. 61788
56-34-BZ.....	D.B.B.....	2117-2127 Neptune ave., Northeast Corner of West 22nd Street (Block 6991, Part of Lot 41), Brooklyn, Applic. 877-34

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400-32-SA.....	F.D.....	Superfex Oil Burner for Warm-Air Furnaces, Appliance.
339-31-SA.....	F.D.....	Rightway Oil Burner, Appliance.

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H.D.....	Health Department
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D.B.M.....	Department of Buildings, Manhattan
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COURT DECISIONS

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

- Matter of Russo (Murdock et al.)—Mr. Justice Smith—Certiorari quashed. July 5, 1933, Board revoked Certificate of Occupancy No. 64364, issued July 25, 1931, premises 313 Stone avenue, Brooklyn. Cal. No. 176-33-A.
- Matter of Burke (Connell)—Mr. Justice Cuff—Board reversed. March 14, 1933, Board denied application for extension of permit for gas station, in business district, under section 7-f. Cal. No. 1230-23-BZ; Premises 160-01 46th avenue, northeast corner 160th street, Flushing, N. Y.

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 12, 1934, AT 2 P. M.

Building Zone Cases.

- 327-33-BZ.
 APPLICANT—Harold J. Crawford, for Nora Eberhardt, owner.
 PREMISES—21-17 30th avenue (Block No. 99, Lot No. 7), Astoria, Borough of Queens.
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building.
- 14-34-BZ.
 APPLICANT—John F. Meehan, for Isaac D. Reynolds, owner.
 PREMISES—101-15 Astoria avenue, northwest corner of 29th avenue (Columbus boulevard) and McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT in a business district the erection and maintenance of a gasoline service station.

CALENDAR

MARCH 13, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 13, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 356-33-BZ—Application, November 21, 1933, under sections 7c and 21 of the building zone resolution, of Jack Fein, applicant, on behalf of Enmor Realty Corporation, owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a business building (stores); premises 1919-1929 Avenue V and 2628-2632 Ocean avenue, northwest corner (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

CAL. NO. 354-33-BZ—Application, November 21, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Edlar Realty Corp., owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

CAL. NO. 357-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of DeRose and Cavaliere, applicants, on behalf of Ida M. Hewitt, owner, to permit in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station; premises 3349-3357 East Tremont avenue, east side, 75 ft. south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), The Bronx.

CAL. NO. 373-33-BZ—Application, December 11, 1933, under section 21 of the building zone resolution, of Henry J. Nurick, applicant, on behalf of Michael Salit, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 176-192 Kings Highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

CAL. NO. 376-33-BZ—Application, December 13, 1933 under section 21 of the building zone resolution, of Clifford F. Hart, applicant, on behalf of Benjamin G. Hitchings Lumber Corp., owner, to permit partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop; premises 3202-3224 Avenue H, south side, from East 32nd street to New York avenue (Block No. 7578, Lot Nos. 53 and 57), Brooklyn.

53-30-BZ.

APPLICANT—Jacob Rudd, for Metropolitan Savings Bank, owner.

PREMISES—97-107 Kenmare street and 15 Cleveland place, northeast corner (Block No. 481, Lot No. 7), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened October 10, 1933).

148-33-BZ.

APPLICANT—Kennedy & Ellner, for Noviak Holding Corp., owner.

PREMISES—Southwest corner of Hollis avenue and Cross Island boulevard (Block No. 1882, Lot No. 106), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar January 3, 1934).

512-31-BZ.

APPLICANT—George Tiernan, for Regina Boulevard Corp., owner.

PREMISES—Southeast corner of Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar November 14, 1933).

24-34-BZ.

APPLICANT—Goldie Harris, owner.

PREMISES—3117-3127 Surf avenue, northeast corner of West 32nd street (Block No. 7049, Lot Nos. 51, 53 and 58), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed theatre and store building.

607-31-BZ.

APPLICANT—Archie H. Samuels, for Ben S. Michaelson, owner.

PREMISES—Northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar February 6, 1934).

343-33-BZ.

APPLICANT—Milton Kaplan, for Milton Kaplan and Katie Baum, owners.

PREMISES—1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

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CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

CAL. NO. 380-33-BZ—Application, December 19, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Frank Teltsch, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1934, 2 P. M.

Appeals from Administrative Orders.

- 371-33-A—Foot of Beach 79th street, north side of Long Island Railroad (Block No. 545, Lot No. 1), Rockaway Beach, Borough of Queens.
- 377-33-A—116-09 to 116-11 15th avenue (Block No. 107, Lot Nos. 41 and 26), College Point, Borough of Queens.
- 17-34-A—115-119 West 58th street (Block No. 1011, Lot No. 25), Manhattan.

Appliances Submitted for Approval.

- 16-34-SA—Warner Oil Burner, Model A.
- 23-34-SA—Webster Fuel Oil Pump, Type A.
- 32-34-SA—Super Oil Burner for Pressing Machine.
- 33-34-SA—Tridex Cleaning Machine.
- 34-34-SA—Standardyne Oil Burner.
- 36-34-SA—Utility Oil Burner, Model A.
- 38-34-SA—Real Host Oil Burner.
- 41-34-SA—Forsdraft Burner.
- 46-34-SA—May Oil Burner, Type BB.
- 53-34-SA—Automatic Airless Oil Burner, Model No. 1.
- 55-34-SA—Atlas Pressure Tank for Paint Spraying.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, March 13, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters:*

CAL. NO. 366-33-BZ—Application, December 4, 1933, under section 7b of the building zone resolution, of Thomas D. Conroy, applicant, on behalf of Marie Whitehurst Conroy, owner, to permit partly in a business district and partly in a residence district, the alteration and change of occupancy of part of an existing building from dwelling to business use; premises 71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

CAL. NO. 77-33-BZ—Application, February 27, 1933, under section 21 of the building zone resolution, of Anthony P. Sorice, Jr., applicant, on behalf of Vincent J. Repaci,

owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

CAL. NO. 315-33-BZ—Application, October 6, 1933; dismissed for lack of prosecution, December 27, 1933; reopened and restored to Calendar January 16, 1934, under section 21 of the building zone resolution, of William J. Russell, applicant, on behalf of Russand Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

CAL. NO. 323-33-BZ—Application, October 14, 1933; dismissed for lack of prosecution, January 16, 1934; reopened and restored to Calendar January 30, 1934, under section 21 of the building zone resolution, of G. A. Schonewald, applicant, on behalf of Elgeo Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

CAL. NO. 20-28-BZ—Application, January 10, 1928; denied September 25, 1928; reopened November 21, 1933, under section 21 of the building zone resolution, of Philip Freshman, applicant, on behalf of Markus Siegelman, owner, to permit in a residence district the change of occupancy of an existing building to business use (store); premises 99-105 Prospect Park, southwest, northwest corner of 16th street (Block No. 5259, Lot No. 22), Brooklyn.

CAL. NO. 362-33-BZ—Application, November 27, 1933, under section 21 of the building zone resolution, of John E. Sexton, applicant, on behalf of Rose Held, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 195 Graham avenue and 149-155 Scholes street, northwest corner (Block No. 3034, Lot No. 27), Brooklyn.

CAL. NO. 381-33-BZ—Application, December 22, 1933, under section 21 of the building zone resolution, of Chas. M. Lobejager, applicant, on behalf of George Rubin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Roosevelt avenue, 466 ft. west of 103rd street (Block No. 1770, Lot Nos. 60, 62, 64 and 65), Corona, Borough of Queens.

CAL. NO. 335-33-BZ—Application, October 30, 1933, under section 21 of the building zone reso-

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lution, of Wood and Marshall, applicants, on behalf of Marshall Contracting Co., Inc., owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 5563-5573 Kings highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 and 9), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 16, 1934, 2 P. M.

SPECIAL MEETING.

Rules

217-21-SR—Fuel Oil Rules, Proposed Revision of.

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 19, 1934, AT 2 P. M.

Building Zone Cases.

546-32-BZ.

APPLICANT—Archie H. Samuels, for 88th St. Holding Co., Inc., owner.

PREMISES—Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), The Bronx.

APPLICATION, under section 7f of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously denied under section 21; reopened January 9, 1934).

4-34-BZ.

APPLICANT—Max Siegel, for Josephine J. Schnurmacher, owner.

PREMISES—West side of White Plains road, 245.85 ft. north of 226th street (Block No. 4829, Lot No. 11), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station.

384-33-BZ.

APPLICANT—Chas. M. Lobejager, for Harry Sheer, owner.

PREMISES—Southeast corner of Cross Island boulevard and 195th street (Block No. 976, Lot No. 1), Auburndale, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station and, also, the creation of a parking space for more than five (5) motor vehicles.

345-33-BZ.

APPLICANT—Walter Zeitz, for Walmere Realty Co., Inc., owner.

PREMISES—3146 Heath avenue, south side, 117'8" west of Kingsbridge terrace (Block No. 3257, Lot No. 53), The Bronx.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a building to be used for business use (stores).

302-33-BZ.

APPLICANT—Frank Giorgio, Jr., for Antonio and Rose Montelone, owners.

PREMISES—Northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

353-33-BZ.

APPLICANT—Saul Goldsmith, for Ellen Martin, owner.

PREMISES—407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

387-33-BZ.

APPLICANT—William Mulligan, owner.

PREMISES—122-12 25th road (Block No. 218, Lot No. 29), College Point, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy to an existing dwelling so as to include a business use (store).

11-34-BZ.

APPLICANT—Joseph Walsh, for Harry Koggan, owner.

PREMISES—273 Chester street, east side, 179'2¾" south of Blake avenue (Block No. 3560, Lot No. 12), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing premises to junk shop.

MARCH 20, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 20, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 308-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Jacob E. Hurwitz, applicant, on behalf of Alice Fadool, owner, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use; premises 195 Prospect Park, West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

CAL. NO. 198-33-BZ—Application, May 29, 1933; withdrawn July 18, 1933; reopened and restored to Calendar January 3, 1934, under section 21 of the building zone resolution, of John J. Hegarty, applicant, on behalf of Port of New York Authority, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises West side of Haven avenue, 217'4½" north

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of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

CAL. NO. 284-32-BZ—Application, May 24, 1932; denied November 4, 1932, under section 7f of the building zone resolution; reopened December 27, 1933, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Rock Jay Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises west side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

CAL. NO. 161-33-BZ—Application, April 28, 1933; denied July 18, 1933; reopened under new facts September 26, 1933, under section 21 of the building zone resolution, of Frank B. Reardon, applicant, on behalf of Theodore G. Zeh, owner, to permit in a residence district the change of occupancy in part of an existing residence building to a business use; premises 170-07 115th avenue (Block No. 3087, Lot No. 350), Jamaica, Borough of Queens.

CAL. NO. 386-33-BZ—Application, December 28, 1933, under section 21 of the building zone resolution, of Marcus L. Bermann, applicant, on behalf of Ralph Horton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Eastern boulevard and Sound View avenue, through to Croes avenue (Block No. 3722, Lot No. 18), The Bronx.

CAL. NO. 368-33-BZ—Application, December 7, 1933, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Sonsam Corporation, owner, to permit partly in a business district and partly in a resident district, the erection and maintenance of a gasoline service station; premises Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

CAL. NO. 132-31-BZ—Application, March 19, 1931; dismissed for lack of prosecution, December 4, 1931; reopened and restored to Calendar, November 21, 1933, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wandil Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station.

HARRIS H. MURDOCK, *Chairman*.

MARCH 20, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday afternoon, March 20, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 116-33-BZ—Application, March 27, 1933; denied June 27, 1933; request for reopening withdrawn July 18, 1933; reopened January 26, 1934, for reconsideration under new facts, under sections 7e and 21 of the building zone resolution, of Arthur F. Lamanda, applicant, on behalf of Katherine Alberti, owner, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ; premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

CAL. NO. 287-33-BZ—Application, September 6, 1933, under section 21 of the building zone resolution, of Fred Meier, applicant, on behalf of William Allan, owner, to permit in a business district the erection and maintenance of a gasoline service station; January 9, 1934, laid over for full vote of Board; restored to Calendar March 6, 1934; premises northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

CAL. NO. 597-32-BZ—Application, December 2, 1932, under section 21 of the building zone resolution, of Henry A. Urquhart, applicant, on behalf of John Wischerth, owner, to permit in a business district the erection and maintenance of a gasoline service station; denied October 17, 1933; remitted by Court for further consideration February 17, 1934; restored to Calendar March 6, 1934; premises 33-41 Stone avenue, southeast corner of McDougal street (Block No. 1535, Lot No. 1), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 26, 1934, AT 2 P. M.

Building Zone Cases.

5-34-BZ.

APPLICANT—Louis I. Becker, for Elsie S. Domville, owner.

PREMISES—15 East 61st street (Block No. 1376, Lot No. 12), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to business use (restaurant).

1213-24-BZ.

APPLICANT—Chas. Schacfer, Jr., for T. & R. Construction Co., owner.

PREMISES—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously denied for a garage; reopened October 3, 1933).

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42-34-BZ.

APPLICANT—Jack Jacobson, for Em. Del. Management, Inc., owner.

PREMISES—389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

28-34-BZ.

APPLICANT—John J. Dunnigan, for Nac Holding Corp., owner.

PREMISES—2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

396-30-BZ.

APPLICANT—Benjamin Baser, for Isidor Schraub and Celia Silverman, owners.

PREMISES—65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 21), Woodside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar December 5, 1933).

383-33-BZ.

APPLICANT—Aaron G. Alexander, for Matin Realty, Inc., owner.

PREMISES—Northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos. 1, 8 and 11), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

15-34-BZ.

APPLICANT—Julius Auserehl, owner.

PREMISES—Northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

6-34-BZ.

APPLICANT—Harry A. Yarish, for Allan A. Kurtz, owner.

PREMISES—507-511 Foster avenue, north side, 178' 6 3/4" west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.

APPLICATION, under sections 7a, 7e and 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of stables for more than five (5) horses.

of the building zone resolution, *Tuesday morning, March 27, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 97-30-BZ—Application, February 7, 1930, under section 21 of the building zone resolution, of Charles Tolleris, applicant, on behalf of 5612 18th Avenue Realty Corp., owner, to permit in a business district the installation of a gasoline service station (previously granted April 22, 1930, for a motor vehicle repair shop for minor repairs, which variation superseded the grant of February 3, 1925, under Cal. No. 1266-24-BZ, for a milk distributing station); premises 5612-5614 18th avenue (Block No. 5493, Lot No. 40), Brooklyn.

CAL. NO. 348-33-BZ—Application, November 17, 1933, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Bleitborn Building and Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Brooklyn.

CAL. NO. 364-33-BZ—Application, December 5, 1933, under section 21 of the building zone resolution, of Joseph S. Gershman, applicant, on behalf of Maphi Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises northeast corner of Hillside avenue and Chelsea road (187th street); (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 379-33-BZ—Application, December 18, 1933, under section 21 of the building zone resolution, of Andrew Havrylok, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

CAL. NO. 382-33-BZ—Application, December 26, 1933, under section 21 of the building zone resolution, of Andrew Yablonsky, applicant and owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop; premises southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

CAL. NO. 3-34-BZ—Application, January 10, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Estate of Jonas Weil, owner, to permit in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles which is located in an unrestricted district; premises 229-235 West 60th

MARCH 27, 1934, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

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street and 228-232 West 61st street
(Block No. 1152, Lot No. 13), Man-
hattan.

CAL. NO. 8-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wardell Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

MARCH 27, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, March 27, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matter:*

CAL. NO. 457-30-BZ—Application, June 27, 1930; withdrawn October 21, 1930; reopened September 12, 1933, under section 21 of the build-

ing zone resolution, of Frank Caraccia, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

APRIL 10, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 10, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matter:*

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MARCH 6, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum.

The minutes of the regular meeting of the board, held on Tuesday morning, February 27, 1934, and the minutes of the regular meeting of the Board held on Tuesday afternoon, February 27, 1934, were approved as printed in Bulletin No. 10, Vol. XIX.

BUILDING ZONE CASES.

20-28-BZ.

APPLICANT—Philip Freshman, for Markus Siegelman, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the change of occupancy of an existing building to business use (store); (previously denied; reopened November 21, 1933).

PREMISES AFFECTED—99-105 Prospect Park, Southwest, northwest corner of 16th street (Block No. 5259, Lot No. 22), Brooklyn.

APPEARANCES—

For Applicant: Markus Siegelman.

For Opposition: Joseph M. Monahan, Arthur Webel, Harry Shane, Flora Horwitz.

ACTION OF BOARD—Laid over to March 13, 1934, at 2 p. m., for report of committee on inspection, without further argument.

457-30-BZ.

APPLICANT—Frank Caraccia, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar September 12, 1933).

PREMISES AFFECTED—Southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Richmond.

APPEARANCES—

For Applicant: Patrick J. Walsh, Frank Caraccia, John P. Walsh.

For Opposition: John Scoutela.

ACTION OF BOARD—Laid over to March 27, 1934, at 2 p. m., for report of committee on inspection, without further argument.

362-33-BZ.

APPLICANT—John E. Sexton, for Rose Held, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—195 Graham avenue and 149-155 Scholes street, northwest corner (Block No. 3034, Lot No. 27), Brooklyn.

APPEARANCES—

For Applicant: John E. Sexton, Jack Rafshoom, Julius Held, E. Hellmer.

For Opposition: Abraham A. Berry, Adolph Simpson, Morris J. Rosenfeld.

ACTION OF BOARD—Laid over to March 13, 1934, at 2 p. m., for report of committee on inspection, without further argument.

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381-33-BZ.
 APPLICANT—Charles M. Lobejager, for George Robbin, owner.
 SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.
 PREMISES AFFECTED—North side of Roosevelt avenue, 466 ft. west of 103d avenue (Block No. 1770, Lot Nos. 60, 62, 64 and 65), Corona, Borough of Queens.
 APPEARANCES—
 For Applicant: Louis Gallucci, Charles M. Lobejager.
 For Opposition: James Marmiello, Joseph Traficanti, William Cron.
 ACTION OF BOARD—Laid over to March 13, 1934, at 2 p. m., for report of committee on inspection, without further argument.

389-33-BZ.
 APPLICANT—Stewart Willey, for Marcelle S. Flint, owner.
 SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a factory building.
 PREMISES AFFECTED—115-17 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.
 APPEARANCES—
 For Applicant: Albert E. Klapper.
 For Opposition: Abraham A. Berry, Samuel Pflug.
 ACTION OF BOARD—Laid over to April 10, 1934, at 2 p. m., on request of applicant's representative.

335-33-BZ.
 APPLICANT—Wood and Marshall, for Marshall Contracting Co., Inc., owner.
 SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.
 PREMISES AFFECTED—5563-5573 Kings highway, southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 and 9), Brooklyn.
 APPEARANCES—
 For Applicant: Clifford B. Marshall.
 For Opposition: Clinton T. Roe, Charles Rothaus, Solomon Jaffe, Saul Pasternack, B. G. Demarest, John Bergen, Rev. Howard E. Mather, Herman Kromer, and others.
 ACTION OF BOARD—Laid over to March 13, 1934, at 2 p. m., for report of committee on inspection, without further argument.

597-32-BZ.
 APPLICANT—Henry A. Urquhart, for John Wischerth, owner.
 SUBJECT—Application remitted to Board by Court—re opening and reconsideration—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.
 PREMISES AFFECTED—33-41 Stone avenue, southeast corner of McDougal street (Block No. 1535, Lot No. 1), Brooklyn.
 APPEARANCES—
 For Applicant: Joseph Lonergan.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing March 20, 1934, at 2 p. m.
 THE VOTE TO REOPEN—
 Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4
 Negative 0
 Absent: Assistant Chief Kidney..... 1

287-33-BZ.
 APPLICANT—Fred Meier, for William Allan, owner.
 SUBJECT—Application for restoration to Calendar, previously laid over for full vote of Board—re Application (decision of commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.
 PREMISES AFFECTED—Northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Queens.
 APPEARANCES—
 For Applicant: John S. Sheehan.
 ACTION OF BOARD—Application restored to calendar and set for hearing March 20, 1934, at 2 p. m.
 THE VOTE TO RESTORE TO CALENDAR—
 Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4
 Negative 0
 Absent: Assistant Chief Kidney..... 1

607-30-BZ.
 APPLICANT—Hamill, Weinberg & Munro, for Hardence Realty Corp. and Hoffman Development Corp., owners.
 SUBJECT—Application (re decision of the superintendent of buildings), under sections 7e and 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles (laid over February 17, 1931, for full vote of the board).
 PREMISES AFFECTED—233-237 East 56th street (Block No. 1330, Lot Nos. 14, 15 and 16), Manhattan.
 APPEARANCES—
 For Applicant: None.
 ACTION OF BOARD—Application withdrawn on written request.
 THE VOTE TO WITHDRAW—
 Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4
 Negative 0
 Absent: Assistant Chief Kidney..... 1

676-30-BZ.
 APPLICANT—Hamill, Weinberg & Munro, for Robert Battipaglia, owner.
 SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (laid over May 5, 1931, for full vote of the board).
 PREMISES AFFECTED—77-10 Queens boulevard, southeast corner Ireland street (Block No. 1569, Lot No. 4), Elmhurst, Queens.
 APPEARANCES—
 For Applicant: None.
 ACTION OF BOARD—Application withdrawn on written request.
 THE VOTE TO WITHDRAW—
 Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4
 Negative 0
 Absent: Assistant Chief Kidney..... 1

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1079-27-BZ.

APPLICANT—Joseph A. Walsh, substituted for William F. Doyle, for Krumark Gas Service Stations, owner, substituted for Repp Holding Corp. Request for reopening made by Rachel C. Krugman and Rose Newmark.

SUBJECT—Application for reopening—amendment—re Application (decision of the fire commissioner), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Utica avenue and Avenue O (Block No. 8490, Lot No. 40), Brooklyn.

APPEARANCES—

For Applicant: Pete Mastandlei.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4

Negative 0

Absent: Assistant Chief Kidney..... 1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4

Negative 0

Absent: Assistant Chief Kidney..... 1

THE RESOLUTION—

(1079-27-BZ)

WHEREAS, this application affecting premises southeast corner of Utica avenue and Avenue O (Block No. 8490, Lot No. 40), Borough of Brooklyn, was granted by the board February 28, 1928, on certain conditions, and the resolution amended January 14, 1930, and owner requests a further amendment.

Resolved, That the resolution adopted by the board on February 28, 1928, as amended on January 14, 1930, be amended, only so far as it refers to the requirement in the resolution for wall of approved masonry not less than 10 ft. in height to be erected on the abutting property lines, so that as amended this condition of the resolution will read:

"That this plot shall be enclosed on the abutting property lines with walls of approved masonry not less than 10 ft. in height, finished with enameled, glazed brick and coped with architectural terra cotta and permitting this wall where it meets Utica avenue on the southerly side to start with a wall not less than 4 ft. in height and raked back at the rate of one foot in four to the 10 ft. height; that other than as amended herein, the resolution shall be complied with in all respects."

Adjourned, 1:00 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 6, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

116-33-BZ.

APPLICANT—Arthur F. Lamanda, for Katherine Alberti, owner.

SUBJECT—Application (re decision of the superintendent of buildings), under sections 7e and 21 of the building zone resolution, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles, granted by the board under Cal. No. 304-30-BZ (previously denied; reopened January 26, 1934).

PREMISES AFFECTED—50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

APPEARANCES—

For Applicant: Arthur F. Lamanda.

For Opposition: Louis A. Jackson, Isidore Miller.

ACTION OF BOARD—Laid over to March 20, 1934, at 2 p. m.

872-28-BZ.

APPLICANT—Eugene De Rosa, for John A. McCarthy, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district, extending into a business district, the alteration and reconstruction of a portion of stores (previously granted by the board) into a motion picture theatre (reopened February 6, 1934).

PREMISES AFFECTED—2311 Grand concourse, northwest corner of East 183d street (Block No. 3164, Lot No. 31), The Bronx.

APPEARANCES—

For Applicant: Eugene De Rosa, James F. Brennan.

For Opposition: Nathan Mandel, Philip Wellins.

ACTION OF BOARD—Application for amendment to resolution withdrawn, pending action of the board of estimate and apportionment on proposed re-zoning of the Grand concourse.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4

Negative 0

Absent: Assistant Chief Kidney..... 1

THE RESOLUTION—

(872-28-BZ)

WHEREAS, these premises, 2311 Grand concourse, northwest corner of East 183d street (Block No. 3164, Lot No. 31), The Bronx, were the subject of an inspection by a committee of the board, report of which inspection was read at the hearing prior to the withdrawal of the case, and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 872-28-BZ.

Premises: 2311 Grand concourse, northwest corner East 183d street (Block No. 3164, Lot No. 31), The Bronx.

The plot under appeal has a frontage of 147 ft. on Grand concourse and is 104 ft. in depth. The frontage on the concourse for a depth of, approximately, 89 ft., is now zoned for residence use and beyond that depth a portion with a frontage of 15 ft. on East 183d street is zoned for business use for a depth of 100 ft. therefrom; beyond that 100 ft. depth, the rear of the plot is zoned for residence.

There is pending before the Board of Estimate and Apportionment a petition for the general re-zoning of the concourse for its entire length to change to business use such portions as are not now so zoned.

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On this plot under appeal a variance was permitted by the board under the same calendar number, No. 872-28-BZ, on April 2, 1929, with no one appearing in opposition, for the erection of a one-story building, and this building has been erected. It is now desired that the resolution of the board be amended to permit at the rear an alteration for a 600-seat motion picture theatre, the main entrance to which is proposed to be 18 ft. in width from the Grand concourse, at the northerly end, with an exit to East 183d street, at the westerly side. A motion picture theatre is no more unbecoming than a business building in a residence district, but in view of the variance granted which restricted advertising to the plate glass show windows, it is the opinion of the committee which inspected this site on March 1, 1934, that a theatre in the location on Grand concourse would by its very nature require more signs and would therefore in effect be more detrimental in a residence district than the stores. On the other hand, it is the opinion of the committee that if the theatre is so arranged that the main entrance thereto is from 183d street only, where 15 ft. of the frontage is already zoned for business use, that this would be a reasonable modification, particularly if there was no opening of the theatre of any nature to Grand Concourse except a passageway for exit purposes only and provided no signs, other than those already permitted under the original resolution of the board, were permitted on Grand concourse to advertise the theatre use. If the Board of Estimate should act favorably on the pending petition to change Grand concourse to business, then this theatre could be erected as the applicant proposes.

Objection to the application has been recorded by the representatives of the Sons of Israel Synagogue, located on Grand concourse, 50 ft. northerly of the plot under appeal. This synagogue also maintains a school in the rear of the synagogue on Creston avenue, and they object to this theatre being so close to their buildings particularly because of crowds and the proximity of the school. In the opinion of the committee, if this theatre is restricted as to its entrance to 183d street, there should be no valid objection raised.

The committee recommends that the application for amendment to the previous resolution be granted with such conditions imposed as above outlined.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHAS. M. BLUM,
Committee of Inspection.

and

WHEREAS, the applicant requested a withdrawal of the case pending the action of the Board of Estimate and Apportionment on re-zoning of the Grand concourse.

Resolved, that the application be and it hereby is withdrawn.

519-29-BZ.

APPLICANT—William F. Doyle, for Grazia Martinelli, owner. (Request for reopening made by Martin J. Ort.)

SUBJECT—Request for reopening—consideration under new facts—re decision of the superintendent of buildings, under section 21 of the building zone resolution, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

PREMISES AFFECTED—South side of 135th avenue, 172.62 ft. west of Oregon place (Block No. 2909, part of Lot No. 15), South Jamaica, Queens.

APPEARANCES—

For Applicant: Martin J. Ort.

ACTION OF BOARD—Request for reopening denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

451-32-BZ.

APPLICANT—William I. Alpert, substituted for Michael Levine, for Church and 94th Street Corp., owner.

SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station for a temporary period on a smaller plot (previously denied for larger plot; remitted to board by the court for rehearing on smaller plot; reopened January 23, 1934).

PREMISES AFFECTED—9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Brooklyn.

APPEARANCES—

For Applicant: William I. Alpert.

For Opposition: Nathan Newman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum.....	4
Absent: Assistant Chief Kidney.....	1

THE RESOLUTION—

(451-32-BZ)

WHEREAS, Michael Levine, for Church & 94th Street Corp., owner, filed, August 16, 1932, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 6, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Church avenue is in a business district; Linden boulevard is in a residence district, and East 92d street is in a residence district; and

WHEREAS, the decision of the superintendent of buildings, rendered August 3, 1932 (re App. No. 8205-32), reads:

"Proposed gasoline service station to be located in a business use district is contrary to Art. II, Sec. 4a of Zone Resolution.";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Church avenue and 60 ft. on East 92d street; it is proposed to erect a one-story structure, 20 ft. by 44 ft. 8 in. in area, to be used as office, grease pits and car washing and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, after a re-hearing of this case as directed by the court, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 451-32-BZ.

Premises: 9111-9123 Church avenue, northwest corner of East 92d street (Block No. 4688, part of Lot Nos. 1 and 3), Borough of Brooklyn.

The plot under appeal is located at the southwesterly corner of Church avenue and East 92d street, in a business use district. Under this same calendar number, the application was heard on December 16, 1932.

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At that time the plot under appeal was 100 ft. on East 92d street and 120 ft. on Church avenue and directly adjoined property to the north which was zoned for residence use. This property to the north was along Linden boulevard, which throughout this section is generally zoned for residence use. At that time the owners of business property along Church avenue were consenting, but the owners of residence property south and north of Church avenue were strenuously opposed.

The board, after a committee had made an inspection of the premises under appeal and the nearby area, called attention to the photographs which were filed, which did not show the true condition of the premises, and which did not show the large residential development in the area and the stores available for neighborhood businesses to serve these residential areas. Acting on the recommendation of the committee, the board, on January 13, 1933, denied the application inasmuch as the committee found that no hardship had been proven. Thereafter, a writ of certiorari was obtained to review the board's decision and Mr. Justice Lockwood in his decision stated in part:

"This decision is without prejudice to the rights of the petitioner to make an application to the Board for a temporary permit on a smaller plot, in which event the owners of the corner property would also have the ownership of the property immediately to the north and west, which might be deemed a protection to property owners who have objected in this proceeding."

A request for such reopening was made and the premises were again inspected by a committee of the board on June 8, 1933, and a hearing was held on June 9, 1933, on a motion to reopen and rehear the case under a reduced plot, as suggested by Mr. Justice Lockwood. The reopening was denied by a vote of 4 to 1. Another writ of certiorari was obtained and Mr. Justice Smith sustained the action of the Board in denying the request to reopen on September 16, 1933. However, a reargument was apparently permitted and on January 5, 1934, Mr. Justice Smith rendered a decision that an order be entered, directing the board to rehear on a smaller plot, with the filing of additional consents and possible withdrawal of objections, which may show such a substantial change in the matter as to require a new and possibly different determination.

Complying with this order, the case was immediately restored to the Calendar on January 23, 1934, waiving the Calendar Call and setting the hearing for February 20, 1934, so as to permit the legal required notice to appear in the Bulletin of the board. On February 23, 1934, the case was reheard on the basis of a temporary permit for a reduced sized plot 60 ft. by 100 ft. The applicant made an extended exposition of his claim to hardship, pointing out that the consents received constituted approximately 60 per cent of the business property in the area, but that he had not attempted to obtain consents from the adjoining residential area. It appears that the hardship claimed is very largely financial, that having been the holder of a second mortgage originally in the sum of \$16,000 behind a first mortgage of \$10,000, the equity owner had relinquished the property and now the applicant, as representing the owners of the second mortgage, is about to give up the property to the holders of the first mortgage, there being overdue interest and taxes of between \$5,000 and \$6,000.

The applicant claimed that because the property on his block and the adjoining blocks was cut off by three main thoroughfares, he was isolated from the built up residential areas to the north and south and for this reason conforming developments could not be constructed. Those in opposition objected to a non-conforming use being permitted in this section which is generally residential, pointing out that the applicant knew that this property was zoned against gasoline

stations and that residential owners would suffer more hardship because the proposed non-conforming use would deteriorate their property. The adjoining block across East 92d street, which comes to a point at Linden boulevard and Church avenue, is owned by the City of New York and the borough president has written in since the hearing, urging that this application be denied.

The board, which heard this case on February 23, 1934, consisted of new members, except for the chairman, who were not on the board when the case was previously heard. A committee of the board inspected these premises on March 1, 1934, and gave careful consideration to the entire area and are of the opinion that in common with other owners of vacant property in this general section, the applicant is in a difficult financial condition, but they cannot agree that it would be equitable to the owners of residential property, whether developed or undeveloped, to permit a non-conforming use in the form of a gasoline service station in this section, particularly as the City of New York is attempting to hold Linden boulevard to residential uses. The triangular lot opposite, block No. 4689, now owned by the City, will without doubt become a park, which will add to the beautification of the section and add to its desirability as a residential area.

Consideration was duly given to the effect of the gasoline station on the smaller sized plot than the one originally applied for, and the committee is of the opinion that this reduction in area would have no protective effect on the adjoining properties, especially as under a permit for a temporary period adequate landscaping could not justly be required.

The committee accordingly recommends that the application be denied.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had not substantiated his application under section 21.

Resolved, that the decision of the superintendent of buildings be and it hereby is affirmed, and that the application be and it hereby is denied.

317-33-BZ.

APPLICANT—Edward L. Kelly, for Dickel Construction Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Edward L. Kelly.

For Opposition: Mrs. Robin, Mrs. Fieuse.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4

Negative 0

Absent: Assistant Chief Kidney..... 1

THE RESOLUTION—

(317-33-BZ)

WHEREAS, Edward L. Kelly, for Dickel Construction Co., owner, filed, October 11, 1933, an application under the building zone application to permit in a business dis-

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trict the erection and maintenance of a gasoline service station; premises: Southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 6, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business district, 89th avenue is in a business district, 139th street is in a residence and business district and 143d street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 25, 1933, re Plan No. 1955-33, reads:

"The erection of a gasoline service station in a business district is contrary to art. 2, section 4, sub. sec. 46 of the BZR.

"Not further examined."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 176 ft. on 89th avenue, 212 ft. on Jamaica avenue and a distance of 102 ft. along the east lot line—upon which it is proposed to erect a one-story office and auto laundry structure 20 ft. by 34 ft., grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made, and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 317-33-BZ.

Premises: Southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

The plot in question is located in a business district at the junction of Jamaica avenue and 89th avenue, Jamaica, Borough of Queens. It is at the point of a triangular block. The balance of the block is developed with 2-story stores and dwellings. The elevated subway is in front of the property along Jamaica avenue. Across Jamaica avenue there is considerable vacant property and a 3-story conforming business building and southerly on the opposite corner of 139th street there is a conforming building used for lumber storage and builders' supplies. Directly opposite on corner of 89th avenue there are 2-story stores and dwellings. The property under appeal is at present being occupied as an open air salesroom of second-hand automobiles.

While this property, like many other vacant plots, is subject to financial difficulties, particularly in view of what would appear to be an excessive assessment, there is in the opinion of the Committee, hardship existing which would make it difficult at any time to develop this triangular plot, located between two heavy traffic thoroughfares, with a profitable conforming use.

There have been filed a total of eighteen objections very largely from the owners of property along 89th avenue, whose property could be very readily depreciated if a gasoline station is erected on the property under appeal with openings to 89th avenue. It is clearly indicated, however, on plans filed that a Jamaica avenue approach is contemplated and, in the opinion of the committee which inspected the plot and the surrounding section on March 1, 1934, it would be possible to construct the station in such a way that 89th avenue would be fully protected and that the application could be granted, provided an attractive wall 8 ft. in height is constructed along 89th avenue and along the easterly lot line; that no opening be permitted in this wall but that the rear walls of the buildings may be incorporated as part of the wall; and that the point of the triangle for a distance of 40

feet be set off and landscaped attractively; and that to carry out this arrangement new plans showing a proper architectural treatment should be filed for approval and that these should include the housing of all accessories other than the gasoline pumps.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT C. PEPPE,

BERNARD A. SAVAGE,

CHARLES M. BLUM,

Committee of Inspection.

and

WHEREAS, this report recommends the granting of this application under certain conditions.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted to permit the premises under appeal to be used as a gasoline service station under section 21 on condition that there shall be erected along street building line of 89th avenue from the corner formed by the intersection of Jamaica avenue a wall faced with face brick on both sides and suitable coping; this wall to be not less than 8 ft. in height except as hereinafter provided, and that a similar wall shall be constructed on easterly property line between 89th avenue and Jamaica avenue, except that the wall may be omitted where adjoining buildings exist with a lot line wall in which there are no openings, provided the wall shall be faced with similar face brick; that the accessory buildings shall be located against the rear lot line and the rear of these accessory buildings may be incorporated in the lot line wall with no windows or other openings to 89th avenue; that these accessory buildings shall consist of an office, auto laundry section and grease pit section; that these buildings shall not be over one story in height and shall be constructed of incombustible materials except that the roof boarding, doors and windows may be of wood, provided the ceilings throughout are fire retarded in accordance with rules of the board of standards and appeals and the roofs surfaced with incombustible materials; that the front of the greasing section shall remain open; that there shall be no open excavation under any of these buildings except the pits for greasing racks; that the balance of the property shall be cement-paved; that gasoline pumps erected shall be not nearer than 10 ft. to the street line of Jamaica avenue nor to any portion of an accessory building; that a wall not less than 3 ft. in height shall be erected on Jamaica avenue for a distance of at least 40 ft. from the corner formed at the intersection of 89th avenue and a cross wall between Jamaica avenue and 89th avenue; that the space thus enclosed shall be kept attractively landscaped; that the wall on 89th avenue for a distance of forty feet from Jamaica avenue may be reduced to 3 ft. in height; that on the balance of the street line of Jamaica avenue there shall be constructed concrete curbs not less than 12 in. in width and 12 in. in height with not over three openings therein, no opening to exceed 25 ft. in width and no part of any opening to be nearer than 10 ft. from the easterly interior lot line; that opposite these openings in the street line curb, curb cuts may be provided not exceeding 30 ft. in width; that no advertising of non-conforming uses shall be permitted on the property other than on the illuminated globes of the gasoline pumps; that no portable gasoline pumps shall be used on or from the property; that no motor vehicle repairing shall be carried on; that there shall be no parking or storing of cars other than those being serviced; that no open flame shall be permitted; that plans showing the complete layout of this station, which shall be of attractive appearance, shall be submitted to the board and approved by the chairman in behalf of the board before plans are filed with the commissioner of buildings; and that all permits shall be obtained within six months and all work shall be completed within one year from the date of this action.

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374-33-BZ.

APPLICANT—John H. Scheier, for Manufacturers Trust Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2400-2412 Flatbush avenue, northwest corner of Avenue T (Block No. 8528, Lot Nos. 1 and 72), Brooklyn.

APPEARANCES—

For Applicant: John H. Scheier, Walter M. Weisberg.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Peppe, Savage and Blum..... 4

Absent: Assistant Chief Kidney..... 1

THE RESOLUTION—

(374-33-BZ)

WHEREAS, John H. Scheier, for Manufacturers Trust Co., owner, filed, December 7, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: 2400-2412 Flatbush avenue, northwest corner of Avenue T (Block No. 8528, Lot Nos. 1 and 72), Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 6, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatbush avenue is in a business district, Avenue T is in a business district and Hendrickson street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 9, 1933, re Applic. No. 12026-1933, reads:

"Proposed gasoline service station to be located in a business use district is contrary to Art. II, Sect. 4a of the Zone Resolution.";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 140 ft. on Flatbush avenue and 100 ft. on Avenue T (plot plans indicate that only 80 ft. of the Avenue T frontage is to be used as a gas station), upon which it is proposed to erect a one-story office and showroom structure 18 ft. by 40 ft. in area and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection, which inspection was made by a Committee of the board and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 374-33-BZ.

Premises: 2400-2412 Flatbush avenue, northwest corner of Avenue T (Block No. 8528, Lot Nos. 1 and 72), Brooklyn.

The plot under appeal is located at the northwest corner of Flatbush avenue and Avenue T. It is zoned for business along both avenues, but the property in the rear is zoned for residence. The business frontage on Flatbush avenue is largely vacant. There is an existing gasoline station on the southeast corner, and the board, under Cal. No. 216-33-BZ granted a gasoline service station on the corner directly opposite in block 8542. In granting this, the board took into account that it was directly opposite another gasoline service station, that there was a trolley loop in that block and imposed conditions as to construction of a wall that would protect property on Hendrickson street. The station has not been constructed. The

plot under appeal is part of a block front that has been taken in foreclosure by the Manufacturers Trust Company.

In the opinion of the committee which inspected the property on March 1, 1934, the existing gasoline service station, together with the nearby gasoline service stations within two blocks to the north, provide all the gasoline facilities that are needed in this section, and as stated by the Court in the decision of *Werner vs. Walsh*, the board should exercise regulation, otherwise nearby vacant plots will also apply for non-conforming uses.

While the board recognized that in common with other vacant plots, there are financial difficulties, they can find that no actual hardship has been proven and that the plot is adapted to conforming uses and that there is sufficient residential development in the neighborhood and along Flatbush avenue to make a conforming use profitable.

The committee recognized that for the moment this may not be feasible, but is of the opinion that additional non-conforming use would not be desirable and recommends that the application be denied.

(Signed) VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended that the application be denied; and the board deemed that applicant had not substantiated the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

293-33-BZ.

APPLICANT—William F. Doyle, for Abraham Halperin, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

APPEARANCES—

For Applicant: William F. Doyle, Abraham Halperin.

For Opposition: Ralph G. Albracht, Robert A. Kelly, William Samuels.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Peppe, Savage and Blum 4

Absent: Assistant Chief Kidney..... 1

THE RESOLUTION—

(293-33-BZ)

WHEREAS, William F. Doyle, for Abraham Halperin, owner, filed, September 9, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 6, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Utica avenue is in a business district, East 49th street is in a residence district and Linden boulevard is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 1, 1933, re Applic. No. 9580-33, reads:

MINUTES

"Proposed gasoline service station to be located in a business use district is contrary to Art. II, Sect. 4a of Zone Resolution.";

and
WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. and a depth of 79 ft. 8 in.; upon the rear of the plot there is located a one-story structure, 78 ft. 4 in. by 20 ft. 5 in. in area; occupied as an auto laundry; there is a one-story office approximately 16 ft. by 25 ft., located on the southeast corner of the plot. It is proposed to install on the remainder of the plot the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 293-33-BZ.

Premises: 758-766 Utica avenue, west side, 175 ft. 2 in. south of Lenox road (Block No. 4655, Lot No. 16), Brooklyn.

The zoning variance applied for is for a plot with 80 ft. frontage in the middle of the block on Utica avenue, between Lenox road and Linden boulevard. It is a part of a larger area owned by the applicant. It is zoned for business use and property on the rear on East 49th street is zoned for residence use. Several years ago the property was leased for a long term and the tenant constructed a one-story building for car washing and greasing and for office use, these structures having been paid for by the tenant at a cost, the committee understands, of approximately \$7,000, and at no expense to the owner. Owing to the business depression, the rental price was reduced and finally the tenant's offer of a still further reduction was refused, the tenant abandoned the property after about three years occupation and is now located on a plot nearer Linden boulevard, where he is carrying on the same kind of business.

The applicant now desires a zoning variance in addition to car washing and greasing for a gasoline service station. It is to be noted that the applicant has appeared before the board on several cases nearby, towards the north, in opposition to granting non-conforming uses.

The objections filed in the case are very largely from owners of property across from the site and property on rear, together with the owner of the block front on Lenox road which is vacant.

The committee of the board inspected the property on March 1, 1934. The owner has fallen heir to these buildings and, accordingly, from that point of view, the premises are equivalent to vacant land. The committee is of the opinion that the former tenant could have been held if the applicant had reduced the rent to his paying ability. The committee also was informed that there has been an offer to rent these buildings as they stand.

It would appear, therefore, that the owner is striving to obtain a non-conforming use for the purpose of increasing his income and to carry this plot and adjacent plots. In the opinion of the committee, this does not constitute hardship and they can find no hardship has been proven to justify the variance. The committee is also of the opinion that the existing buildings have tended to deteriorate the section and cause hardship to nearby owners, and that to grant the non-conforming use sought, will still further depreciate property and cause additional hardship.

The committee recommends that the application be denied.

(Signed) H. H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had not substantiated the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

APPEAL FROM ADMINISTRATIVE ORDER.

243-32-A.

APPELLANT—Hearn Broadway Buildings, Inc., owner.
SUBJECT—Application for reopening—amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—832-834 Broadway (Block No. 564, Lot No. 37), Manhattan.

APPEARANCES—

For Appellant: Lester H. Hearn.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4

Negative 0

Absent: Assistant Chief Kidney..... 1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4

Negative 0

Absent: Assistant Chief Kidney..... 1

THE RESOLUTION—

(243-32-A)

WHEREAS, this appeal affecting premises 832-834 Broadway, (Block No. 564, Lot No. 37), Borough of Manhattan, was granted by the board January 6, 1933, on certain conditions, and appellant requests an amendment to the resolution.

Resolved, that the resolution adopted by the board on January 6, 1933, be amended to read as follows:

"Resolved, that the order and decision of the fire commissioner (Order No. 88055-F) be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that the building located at No. 830 Broadway and the building located at 832-834 Broadway shall both be supplied from the standpipe tank located on the roof of the building at 830 Broadway, provided the tank installation in every respect shall comply with Rule 91 of the Standpipe-Fire Line Rules; that there shall be a 4-inch horizontal line constructed in the basement, connecting the risers in two buildings; and that the entire standpipe system, other than as modified herein, shall comply with Rule 91 of the Standpipe-Fire Line Rules; that this amendment shall continue only so long as the two buildings shall remain in the same ownership or under control that will guarantee their joint operation; that the required fire protection of horizontal line in basement, as required under subdiv. 17, shall be as directed by administrative official."

PETITION FOR VARIATION.

158-33-S.

PETITIONER—Otto S. Staudt, for 34 West 38th Street Corp., owner.

SUBJECT—Application for reopening—restoration to calendar, previously withdrawn after argument—re: petition for a variation of the Labor Law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—34 West 38th street (Block No. 839, Lot No. 66), Manhattan.

APPEARANCES—

For Petitioner: Robert W. Teichman.

For Administration: Inspector Maher of department of buildings.

and

MINUTES

ACTION OF BOARD—Petition restored to calendar and granted on condition.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum.....	4
Negative	0
Absent: Assistant Chief Kidney.....	1

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum.....	4
Negative	0
Absent: Assistant Chief Kidney.....	1

THE RESOLUTION—

(158-33-S)

WHEREAS, Otto A. Staudt, for 34 West 38th Street Corp., owner, filed, April 26, 1933, a petition for a variation from the requirements of the labor law as cited in a decision of the commissioner of buildings, affecting premises 34 West 38th street (Block No. 839, Lot No. 66), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated March 5, 1934, reads:

"Your application for a certificate of occupancy has been disapproved for the following reasons:

"1. As building is more than 4 stories in height and built since 1913, the building is required to be of fireproof construction.

2. Exits do not conform to Section 270 of the Labor Law."

WHEREAS, the building is non-fireproof, 6 stories (60 ft. 10 in.) in height, 23 ft. by 93 ft. 9 in. in area at 1st story and 23 ft. by 88 ft. 9 in. in area above; OCCUPIED for store and showroom purposes, 10 persons per story; located within a retail use district; equipped with a fire alarm signal system; EXITS: an interior steel and concrete stairway extending from the 1st story to roof, enclosed in 4-in. terra cotta partitions covered with 1 in. of cement mortar on both sides, with fireproof doors at openings; a fire escape on the rear of the building, having fireproof openings along the course thereof, extending from the 1st story mezzanine to the roof, with egress from the termination of the fire escape by means of a fireproof passageway leading to the interior stairs, thence through entrance hall to the street; ROOFS of adjoining buildings, about the same level; and

WHEREAS, the original petition was withdrawn June 20, 1933; the petitioner has filed, March 5, 1934, a written request for reopening and further consideration under new facts and a recent decision of the commissioner of buildings; and

WHEREAS, the petitioner claims that from inspection it has been found that in addition to a fireproof stairhall, the ceilings throughout the building are fire resisting, constructed of metal lath and cement mortar thereby indicating that all means of fire protection were provided when remodeled in 1921; that in addition to the fireproof passageway from rear fire-escape to street, there is a connection from rear fire-escape at 1st story mezzanine balcony to rear fire escape on building adjoining at east by means of an iron stairway leading down to a rear fireproof door at 2nd story, thence through adjoining building to the street, or by means of an iron stairway leading up to roof of 2nd story extension, thence by fire escape to main roof and to stairhall bulkhead and to street; furthermore, the petitioner proposes to construct an iron bridge from the balcony at 1st story mezzanine to rear fire-escape of the building directly at south under the same ownership, where exit may be had up or down and through a fireproof passageway to West 37th street (see letter of mutual consent between owner and lessee herewith filed); fire fighting equipment will be maintained on the premises in accordance with the requirements of the Code of Ordinance and the Rules of the Departments having jurisdiction; the petitioner contends that the building will be provided with adequate means of exits; the board is

requested to grant an occupancy figured in accordance with the exits and permit 25 per cent of the building to continue for factory work, as the building was so occupied prior to the amendment to the zone resolution creating a retail district; and

WHEREAS, this petition was reopened and restored to the calendar March 6, 1934; and

WHEREAS, it appears that this building has been occupied as a factory, conforming to the provisions of section 271 since 1924 according to records of the Fire Prevention Division,

Resolved, that the board of standards and appeals does hereby make a variation from the requirements of the labor law and that the petition be and it hereby is granted, permitting the building to be used for factory occupancy, *on condition* that the number of persons working for a factory shall not exceed 15 persons per story; that the area of the building used for manufacturing purposes shall not exceed 25 per cent of the total floor area; that the ceilings throughout shall be fire-retarded with wire lath and cement plaster; that in addition to the primary means of exit, consisting of stairs enclosed with fireproof material, that there shall be a rear fire-escape complying with the requirements of the labor law and shall have in addition to the fireproof passageway at the mezzanine level, exiting through the main stair to the street, also a fireproof bridge at this level, connecting to the rear exit door of the building at 25-27 West 37th street, owned by the same owners, and in addition, continuation of fire-escape to a door leading through the building next adjoining to the east, and also to the extension roof of this building, giving access by means of vertical ladder to the main stairway; that the windows on the front of building shall conform to the requirements of the labor law above the 3rd story or 45 ft., whichever is the higher; that the building shall be equipped with fire alarm signal system and shall comply in all respects other than as modified herein to the requirements of section 271 of the labor law and the factory exit rules of the board of standards and appeals; and that the building shall not be increased in height or area.

APPLIANCES SUBMITTED FOR APPROVAL.

400-32-SA.

PETITIONER—Arnold M. Goldstein, for Perfection Stove Co., owner. Request for reopening and amendment.

SUBJECT—Superfex Oil Burner for Warm-air Furnaces.

APPEARANCES—

For Petitioner: J. H. Hosier, E. B. Redhead.

ACTION OF BOARD—Petition reopened, restored to calendar and referred to engineer of the board and bureau of combustibles and fire department for test and report.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

339-31-SA.

PETITIONER—Kenlon-Michels Eng. & Const. Co., for Maise Corp., owner.

SUBJECT—Rightway Oil Burner—change of name to Kelvinator.

APPEARANCES—

For Petitioner: Harold Morrison, Ellison Robinson.

ACTION OF BOARD—Petition reopened, restored to calendar and resolution amended.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum.....	4
Negative	0
Absent: Assistant Chief Kidney.....	1

MINUTES

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commission-
Peppe, Savage and Blum..... 4
Negative 0
Absent: Assistant Chief Kidney..... 1

THE RESOLUTION—

(339-31-SA)

WHEREAS, the petition affecting the approval of the Rightway Oil Burner was granted by the board July 24, 1931, and all rights to the burner have now been acquired by the Kelvinator Company, which requested a change of name.

Resolved, that the board of standards and appeals does hereby approve the device known as "Rightway Oil Burner", hereafter to be known as the "Kelvinator Oil Burner", for use in domestic and commercial installations, when installed in accordance with the Fuel Oil Rules of the board of standards and appeals and in conformity with the report of the chief of the bureau of fire prevention on the Rightway Oil Burner under date of July 23, 1931.

42-29-SA.

PETITIONER—Fire Protection & Equipment Co., owner.
SUBJECT—Safe-Way Outlet Pressure Reducing Valve,
approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-
ers Peppe, Savage and Blum and Assistant
Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(42-29-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

250-31-SA.

PETITIONER—H. S. Whitney, manager, New York
Branch of The Lunkenheimer Co., owner.

SUBJECT—Lunkenheimer 2½ inch Figure 8610 Bronze
Angle Hose Valve, 150 lbs. Water Working Pres-
sure, approval of.

APPEARANCES—

For Petitioner: . None.

ACTION OF BOARD—Petition dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-
ers Peppe, Savage and Blum and Assistant
Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(250-31-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

251-31-SA.

PETITIONER—H. S. Whitney, manager, New York
Branch of The Lunkenheimer Co., owner.

SUBJECT—Lunkenheimer 2½ inch Figure 8613 Bronze
Angle Hose Valve, 250 lbs. W.W.P., approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-
ers Peppe, Savage and Blum and Assistant
Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(251-31-SA)

WHEREAS, this petition was filed with the board of standards and appeals for the approval of the above named appliance; and

WHEREAS, petitioner failed to complete his papers, though duly notified to do so.

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

Adjourned 3:50 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

PUBLIC HEARING

PROPOSED REVISION OF FUEL OIL RULES.

[217-21-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, March 16, 1934, at 2 P. M., Room 1013, Municipal Building, on Proposed Revision of Fuel Oil Rules. Matter in *italics* is new; matter in brackets [] old matter to be omitted.

Oil Burner Rules

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Scope.

(a) No person shall install oil-burning or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 1. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals installed prior to the adoption of these rules shall be accepted.

[DEVICES:

No person, firm, company or corporation shall within the limits of the City of New York use any device or apparatus for burning fuel oil within the meaning of these rules unless such device or apparatus shall have been approved by the Board of Standards and Appeals.]

DISCHARGE LINE shall be the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS are building used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For Protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL [LINE] PIPE is that portion of the line between the fill [box] pipe terminal and the fill pipe connection in the storage tank.

[FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.]

[FIRM FOUNDATION: A firm foundation is one which will carry the maximum load to which it shall be subjected without exceeding the safe bearing capacity of the soil.]

[FUEL] OIL: Any liquid mixture, substance or compound, derived from petroleum, [which does not emit an inflammable vapor below a temperature of 125° F. when tested in a Tagliabue open cup tester] including kerosene, fuel oil, as defined in the code of ordinances, Chapter X, Article I, Code of Ordinances.

The use of crankcase refuse oil as fuel oil is strictly prohibited unless used with burners designed to burn No. 5 U. S. commercial standard grade oil.

FULL DISHED HEAD: A head having a curvature with a radius not greater in length than the diameter of the tank.

OIL LEVEL INDICATING DEVICE [GAUGING DEVICE:] A means by which the level of the oil in a storage tank may be indicated.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

PREHEATERS: A device for heating fuel oil for the purpose of decreasing the viscosity.

MASONRY: Shall mean constructed of brick, stone, concrete, hollow building blocks, or a combination of these materials as set forth in the Code of Ordinances, Chapter V, Article 13, Section 251.

[OIL] BURNER: A device designed for the purpose of burning fuel oil.

[OVERFLOW PIPE: A pipe which conveys by gravity the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.]

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

RELIEF LINE: That portion of the line between the by-pass connection of the relief valve and the supply line or storage tank.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relief pressure in excess of its setting.

REMOTE CONTROL: A hand, electric, or mechanically operated device to shut off the oil supply. A thermostat will not be accepted as complying with this rule.

[RETURN LINE: A line for the purpose of conveying by-passed oil to a storage tank.]

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

PUBLIC HEARING

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

SUPPLY LINE: That portion of the line between the storage tank and the oil pump inlet connection. Where a pump is not used it shall be that portion of the line between Storage Tank and the burner oil inlet connection.

[SWING JOINT: A connection made in a pipe line by means of a combination of fittings so that the tank can settle naturally without breaking the line or impairing the efficiency of the connection.]

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 2 (a). Manner of Storage for Fuel Oil.

Fuel oil, to be used for heating and power purposes, shall be at all times stored in metal tanks with all openings or connections through the tops of the tanks.

[(b). Oils Not Permitted.

Oils derived from or including petroleum that have a flashpoint below a temperature of 125 degrees Fahrenheit, when tested in a Tagliabue open cup tester, shall not be used as a fuel to produce heat or power.

(c) Fuel Oil within the meaning of these rules, having a flashpoint between 125 degrees and 150 degrees Fahrenheit, may be used for heating when the quantity stored is limited as prescribed in rule 4, section 1, subdivision i. If used in tenement houses, commercial or industrial plants, a certificate of fitness for the operator of the plant shall be required as per rule 15.]

(b) Oil Permitted.

Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flashpoint not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22).

[Rule 3. Location, Protection and Capacity of Tanks for the Storage of Fuel Oil.

(a) In all buildings fuel oil storage tanks over 275 gallons shall be buried below the floor of the lowest story or, if in the judgment of the Superintendent of Buildings the burial of tanks is not practicable by reason of soil, foundation or structural conditions, the tanks may be placed in the lowest story, subject to the requirements hereinafter set forth.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway.]

Rule 4. Location, [Protection and Capacity of Tanks for the Storage of Fuel Oil.] of Storage Tanks and Containers.

Section 1. Inside of Buildings [Above Ground.]

[(a) Tanks having a capacity of 275 gallons or less may be installed in lowest story of dwellings as outlined in these Rules when located at least ten (10) feet, measured horizontally from any fire or flame, provided such tank shall be mounted on substantial incombustible supports and firmly anchored to floor and ceiling or floor and wall, or to a weight greater than the buoyancy of tank when empty to prevent floating; such support to meet the approval of the

Fire Department. When this type of installation is used, the provisions of subdivisions b to j shall not apply. This subdivision shall apply only to one and two-family dwellings.

(b) Where tanks cannot be buried and are located in the lowest story of any building, they shall be placed in an enclosure, the walls, floor and roof of which shall be constructed of reinforced concrete not less than eight (8) inches in thickness, or twelve (12) inches of masonry and of dimensions six (6) inches greater on all sides than the outside dimensions of the tank.

(c) The walls of the enclosure shall be carried up to a height not less than one (1) foot above the tank and roofed over with reinforced concrete or similar fireproof construction capable of sustaining a load of three hundred (300) pounds per square foot.

(d) The roof of every enclosure shall contain a manhole with fireproof cover properly weighted, but not fastened, placed immediately above the manhole in the top of the tank.

(e) A space of least two (2) feet shall be maintained between the top of the roof of the enclosure and the ceiling immediately above.

(f) The space between the tank and the walls and roof of the enclosure shall be completely filled with dry upland sand or earth well tamped.

(g) Not more than one tank shall be placed in an enclosure.

(h) In frame buildings the total storage capacity of tanks shall not exceed five thousand (5,000) gallons.

(i) In non-fireproof and fireproof buildings, if tanks properly enclosed or covered as above required are located in a fireproof or detached room which is cut off from the rest of the building vertically and horizontally in an approved manner and if such room is ventilated to the outside air, the total storage capacity shall not exceed fifty thousand (50,000) gallons, with an individual tank capacity of not exceeding twenty thousand (20,000) gallons.

(j) In dwellings as defined in these rules the total storage capacity of fuel oil with flashpoint between 125 degrees and 150 degrees of Fahrenheit shall not exceed 1,100 gallons.]

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, permanently attached to tanks, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 4, Section 1 (b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallon storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

A storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty-thousand (20,000) gallons.

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(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

[Section 2. Inside Buildings Below Ground.]

[(a) When a tank is buried beneath a building its capacity may be increased one hundred (100) per cent above that allowed for an inside tank as established in connection with buildings of such construction as specified in Rule 4, Section 1 (h) and (i).

(b) Tanks shall be buried underground below the level of any piping to which they may be connected with the tops of the tanks not less than two (2) feet below the surface of the ground; or, in lieu of the two (2) foot cover of earth, tanks may be buried under twelve (12) inches of earth, covered by at least six (6) inches of concrete which shall extend at least one (1) foot beyond the horizontal outline of tanks in all directions. Where necessary to prevent floating, tanks shall be securely anchored.

(c) Tanks shall be set on concrete or metal cradles which shall be placed on firm soil and surrounded with soft earth or sand. Tanks shall be completely encased with six (6) inches of concrete when buried in soil the nature of which would make additional protection necessary.]

Section 3. Outside of Buildings Above Ground.

[(a) Where vertical tanks of one hundred and fifty thousand (150,000) gallons capacity or less are located outside of buildings and placed above ground, the tanks shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters, and in no case less than ten (10) feet, from the line of adjoining property, or the nearest building or adjacent tank.

(b) Where horizontal tanks of one hundred and fifty thousand (150,000) gallons or less capacity are located outside of buildings and placed above ground, the tanks shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters measured from the end of the tanks and not less than two (2) tank diameters measured from the side of the tanks, and in no case less than ten (10) feet from the line of adjoining property, or the nearest building or adjacent tank.

(c) Where existing outside above ground storage tanks of one hundred and fifty thousand (150,000) gallons capacity or less have been placed closer together than one and one-quarter ($1\frac{1}{4}$) tank diameters, a fire wall shall be built to a height of at least two (2) feet above the height of the highest tank completely separating the tanks for their full diameters or lengths.

(d) Tanks placed above ground shall be set on firm foundations and, if elevated, their supports shall be constructed of fireproof materials. All tanks shall be electrically grounded.]

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameter and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon..	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "
If distant 50 feet.....	48,000 "
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Above-ground storage tanks shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly

and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3'), and a slope of at least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced.

Section 4. Outside of Buildings Below Ground.

[(a) Tanks shall be buried underground below the level of any piping to which they may be connected, with the tops of the tanks not less than two (2) feet below the surface of the ground; or, in lieu of the two (2) foot cover of earth, tanks may be buried under twelve (12) inches of earth, well tamped, covered by at least six (6) inches of concrete, which shall extend at least one foot beyond the horizontal outline of tanks in all directions. Where necessary to prevent floating, tanks shall be securely anchored.

(b) Tanks shall be set on concrete or metal cradles which shall be placed on firm soil and surrounded with soft earth or sand well tamped. Tanks shall be completely encased with six (6) inches of concrete when buried in soil the nature of which would make additional protection necessary.]

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh.

[Section 5. Common Fill and Header Line.

Where a battery of tanks is installed containing the same degree of oil a common fill and header line may be installed provided the area of the fill or header line is equal in sum total to the area of the branch fill lines, and each branch line is provided with a shut-off valve, not more than four (4) tanks will be permitted in any one battery.

Section 6. Embankments and Dikes.

(a) Above ground storage tanks shall be protected by an embankment or a dike. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded, and shall be at least four (4) feet high, but in no case higher than one-quarter ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen (16) feet. Embankments or dikes shall be made of earth-work with clay core; of masonry or of impervious reinforced concrete. Earth-work embankments shall be firmly and compactly built of good earth from which stones, vegetable matter, etc., have been removed, and shall have a flat section at top of not less than three (3) feet and a slope of at least one and one-half ($1\frac{1}{2}$) to one (1) on both sides. Concrete or masonry dikes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded.

(b) Embankments or dikes shall be continuous and unpierced. Piping shall be carried either over or under embankments or dikes in such a manner as not to interfere with the efficiency of the enclosure.]

[Rule 5. Fire Extinguishing Equipment.

(a) Every tank with a capacity of over five thousand (5,000) gallons inside of buildings and ten thousand two hundred (10,200) gallons outside of buildings shall be equipped with a system of steam pipes, blanketing gas or other approved system for use in case of fire, so arranged and installed as to adequately protect the buildings or surrounding property.

(b) When steam is used, the steam supply pipe shall not be less than one-half ($\frac{1}{2}$) inch in size. The boilers shall be conveniently located, and the steam to the extinguisher lines shall be controlled by easily accessible valves.

(c) Near each boiler or furnace of fuel oil burning unit there shall be kept ready for use two portable fire extinguishers of not less than one (1) quart capacity each or other equivalent fire extinguishers for extinguishing oil fires.]

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Rule 6. Material and Construction of Tanks [for the Storage of Fuel Oil.]

[Section 1. Cylindrical Tanks (except vertical tanks located outside of buildings above ground).]

(a) All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, etc. All steel must be new, in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

(b) All tanks must be welded, riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates.

(c) Thickness of cylindrical tanks:

Tanks 36 in. in diameter and less— $\frac{1}{4}$ in. shell, $\frac{1}{4}$ in. heads.

Tanks 37 to 72 in. in diameter— $\frac{1}{4}$ in. shell, $\frac{5}{16}$ in. heads.

Tanks 73 to 120 in. in diameter— $\frac{5}{16}$ in. shell, $\frac{3}{8}$ in. heads.

Tanks over 120 inches in diameter to be of $\frac{3}{8}$ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

(d) All cylindrical tanks shall preferably be built with dished heads. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

(e) Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. diameter rivets $2\frac{1}{2}$ in. pitch.

Section 2. Rectangular Tanks.

(a) All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

(b) Corners may be made up by bending the plates or by use of angles.

(c) Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

(d) All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural members, which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tank, as the case may be.

(e) When structural members are used such as angles, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

(f) When structural reinforcing members are tied together with braces, in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken on the minimum net section.

(g) If structural members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

(h) The fastening between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

Section 3. Oval or Obround Tanks.

Oval or obround tanks not exceeding a capacity of 275 gallons may be used in dwellings as defined in these rules

when constructed of No. 10 gauge open hearth steel free from laminations or cracks. The tanks to be equipped with flanged and dished heads. The radius of dishing of heads to be equivalent to the small diameter of tank, a $\frac{1}{2}$ -inch flange is to be used.]

Section 1. All Tanks Except Vertical Above Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109") 4.375 pounds per square foot.

(b) All shop fabricated storage tanks shall have a permanently fixed plate bearing the name of the tank manufacturer and shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed to withstand a hydrostatic test of twenty-five (25) pounds per square inch without distortion, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed to withstand a hydrostatic pressure test without distortion, rupture or leakage, as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have full dished heads.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material.

(h) Manhole covers, where used, shall be bolted or otherwise secured to the tank and made gas tight.

[Section 4. Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.]

(a) Vertical tanks located outside of buildings above ground shall be built of steel plates of the quality required for cylindrical tanks.

(b) The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

r equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

(c) Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

(d) In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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(e) Tanks for storage of oil shall be constructed in accordance with the requirements of this rule, except that tanks of a capacity of over 60 gallons and not more than 550 gallons may be constructed of steel not less than 3/16 inches in thickness.

(f) Auxiliary supply tanks of 60 gallons or less capacity may be constructed of brass, copper, steel or wrought iron of not less than No. 14 U. S. gauge.]

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch (1/4") and the minimum thickness of roof plates shall be one-eighth inch (1/8") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall show no distortion or leaks when completely filled with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of ten (10) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of twenty-five (25) pounds per square inch without distortion, rupture or leakage and shall be approved as provided in Rule 12(b). Glass storage containers shall not exceed three gallons capacity and shall be approved as provided in Rule 12(b).

(b) If storage containers are for pressure feed they shall be not larger than ten (10) gallons capacity and shall be designed for six (6) times the maximum working pressure and shall withstand a hydrostatic pressure test of one hundred (100) pounds per square inch without distortion, rupture or leakage. The maximum working pressure shall not exceed fifty (50) pounds per square inch. Such pressure storage containers shall be provided with a pressure relief valve permanently set to discharge at a pressure not greater than fifty (50) pounds per square inch, shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit and shall be approved as provided in Rule 12(b).

[Section 5. Welding.

(a) Where welding is to be used for a part or for the entire tank, the tank shall be fabricated as required under Rule 6, Section 1.

(b) All welded seams of plates shall be lapped or butted.

When the joint is a lapped joint, the sheet shall be lapped not less than two inches and welded both inside and outside. The plates shall be pulled up tight, metal to metal, before welding and kept tight together during welding. Both inside and outside welds shall be of full 45 degree fillet.

Where a butt joint is used, it shall be of the 90 degree double V type welded both inside and outside and reinforced to a total thickness of at least one and one-half times the plate thickness.

(c) All heads shall be flanged, the straight part of the flange being not less than as follows:

For 3/16 inch heads, 1 3/4 inch flange.

For 1/4 inch heads, 2 inch flange.

For 5/16 inch heads, 2 inch flange.

For 3/8 inch heads, 2 1/4 inch flange.

For heads over 120 inches diameter the flange shall be increased in length by one-half inch for each increase in diameter of 2 feet.

Where heads are set into the shell, they shall be a driving fit and the shell shall fit the head closely all around. If

of over 1,100 gallon capacity they shall be welded inside and outside with full fillet welds. If of 1,100 gallon capacity or less and not over 48 inches in diameter, welding on the outside only will be sufficient.

Where the heads are butt welded to the shell, the head welds for tanks of 1,100 gallon capacity or less and not over 48 inches in diameter, shall be of the 90 degree single V type welded entirely through and reinforced not more than one-quarter of the shell thickness. For tanks of over 1,100 gallon capacity the head welds shall be of the 90 degree double V type welded inside and out and reinforced to a total thickness of not less than one and one-half times the shell thickness.

(d) Where tanks are made up of two or more rings the welded longitudinal joints of adjacent sections shall break joints. At no point of a butt girth shall the sheet on one side be offset with the sheet on the other side in excess of one-half of the thickness of the plate. All butt girth joints shall be welded inside and out and reinforced to at least one and one-half times the plate thickness, except that for tanks of 1,100 gallon capacity or less and not over 48 inches diameter, they may be of the same construction as the head seams.

(e) Where braces are welded to the plates the welding shall be done in such a manner as to develop the full net sections of the braces; in other words, the brace will break before the connection will let go.

Braces made in more than one piece shall not be joined together by any method of welding.

Section 6. Rust Proofing.

All tanks shall be thoroughly coated on the outside with tar, asphaltum or other suitable rust resisting material. Where soil contains corrosive substances, special protection may be required. Tanks shall not be coated until after the necessary tests have been made.

Section 7. Manhole Covers.

Manhole covers shall be of cast iron, cast steel or of the same material as used in the construction of the tank enclosure. On tanks placed inside buildings, the manhole shall be bolted or otherwise secured to the tank and made gas tight. All tanks over 1,100 gallons capacity shall be provided with a manhole of at least 11 in. by 16 in.]

Rule 7. [Tests of Tanks and Piping for the Storage of Fuel Oil.

Tanks and piping to burner shall be tested hydrostatically or with oil at a pressure of not less than 10 pounds per square inch. Those parts subjected to a pressure exceeding 10 pounds per square inch shall be tested at pressure at not less than 1 1/2 times the maximum pressure to which it is subjected. The hydrostatic pressure on a tank shall be determined by measuring in feet the height from the lowest point in the tank to the highest oil reservoir from which the tanks may be filled. This distance divided by 2.3 for water or its equivalent for oil will give the equivalent pressure in pounds per square inch at the bottom of the tank. Tanks and piping may be tested with oil provided the installation is complete and the pressure applied at the burner end of the supply line. There shall be no fire or flame in the room or rooms in which the test is being conducted or when repairs are being made to defective tanks. All tests shall be conducted in the presence of a representative of the Fire Commissioner and shall be continued for thirty minutes. No repairs shall be made to defective tanks within twenty-four hours of removal of oil from tank and purging of same of all explosive gases by steam, air or water.

The contractor shall furnish all the necessary equipment for conducting the tests.]

Permits, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Administrative official.

(b) Applications for permit shall be made on a form furnished by the Administrative official and shall provide for the location of the building in which the installation is

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to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burner, capacity, number and location of storage tanks, together with such other information as may be required by the Administrative official.

(c) No permit shall be issued until the installation has been inspected by a representative of the Administrative official.

Section 2. Inspection and Tests of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping connected thereto shall show no leakage when completely filled with oil.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping connected hereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with oil or water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the Administrative official.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 3. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances, Chapter X, Article 3, Section 43. A fee of \$1.00 shall be paid for each additional inspection required by reason of installation being incomplete or non-compliance with these rules.

Rule 8. Piping [for Fuel Oil.]

Section 1. Installation of Piping.

[(a) Piping shall be run in a substantial and workmanlike manner and provision made for expansion, contraction and settlement. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. Where the top of the tank is below the level of the burner oil inlet connection, the supply line from the tank shall be run above the level of the bottom of the tank so as to prevent syphoning. Cross connections permitting gravity flow from one tank to another are prohibited. All pipes connected to tank except measuring well or gauge pipe shall be provided with double swing joints at tank. All threaded joints shall be made tight with litharge and glycerine or equivalent suitable pipe compound.

(b) All piping shall be of standard full weight brass, copper, wrought iron or steel for working pressures less than one hundred (100) pounds per sq. in. for working pressures in excess of one hundred (100) pounds per sq. in., extra heavy seamless drawn tubing and drop forged fittings shall be used. No pipe less than one-half ($\frac{1}{2}$) inch outside diameter shall be permitted.

(c) All connections shall be tight and shall have well-fitted joints.

(d) Tubing and couplings, where used in connection with mechanical burners, shall be capable of withstanding a pressure equal to the piping to which it is connected and shall be constructed of fire resisting materials. No soldered

connection shall be used. The length of tubing shall not exceed that required for direct connections to coupling.

(e) Overflow pipes, when required, shall be not less than one size larger than supply pipe.]

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible tubing, when used, shall be of fireproof material. Soldered connections are prohibited.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve. [The relief line shall be returned to storage tank or to supply line near pump. There shall be no shut-off valves in the relief line.] The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

(b) [All] oil pre-heaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than $1\frac{1}{2}$ times the maximum working pressure of the system.

Section 3. Fill Pipes.

[(a) Each tank shall be provided with a separate fill pipe, except as otherwise stated in these rules, which shall be carried below the supply line in the tank or otherwise trapped to prevent escape of oil vapor. The fill pipe shall be made up with screwed or flanged fittings securely held in place and shall be oil tight. Each fill pipe shall be provided with means for locking and located at or above grade outside of the building within thirty (30) feet from curb or private right-of-way and located as remote as practicable from any building opening, subway gratings or elevated column, but not less than three (3) feet therefrom.]

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or driveway.

[(b) Where the top of the tank is above the fill box the fill pipe shall be connected to the top of the tank and be provided with a gate valve sealed closed when not in use and a swing check valve, both gate and check valve to be located at the fill box.]

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

[(c) Where there is a storage system of volatile inflammable oil, and a storage system for fuel oil to be used in the same premises, the fill boxes shall terminate as far as possible from each other, and the cover of the fuel oil fill box shall be painted green and cover of gasoline fill box red, or covers of fill boxes to have one inch (1") raised letters stamped thereon reading—Fuel Oil, Gasoline.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

[(d) The terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting to be of a different size than that required for the fill pipes to gasoline tanks.]

(d) Fill pipe terminal shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil."

PUBLIC HEARING

(e) *Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.*

Section 4. Vent Pipes.

(a) An open vent pipe of [standard wrought] iron or steel without trap and draining to the tank shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the tank more than 1 inch.

Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks designed to hold the same degree of oil is installed, vent pipes may be run into a main header. [Connections to the header shall not be less than one foot above the level of the top of the highest reservoir from which the tanks may be filled. The main vent pipe and header shall be of an area equal to the aggregate area of vent pipes connected thereto.]

[(c) Vent openings in tanks shall be screened by 40 mesh non-corrodible wire screen, and shall be of sufficient area to adequately vent the tank during the filling operation. Vents shall be not less than two (2) inches in diameter for tanks over 1,100 gallons' capacity, and in no case less than one and one-quarter ($1\frac{1}{4}$) inches in diameter.]

(c) *Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more.*

(d) [Vent pipes shall be provided with weather-proof hoods and terminate outside the building above the street surface, not less than six (6) feet nor more than twelve (12) feet above the fill pipe. Such vent outlet shall not be located within two (2) feet in any direction of a window or other opening, or an exterior stairway, or fire escape, nor shall vent pipes be placed in elevator or dumb-waiter shafts, or in a closed court.]

(d) *Vent pipes shall be provided with weathproof hoods and shall terminate outside the building not less than three feet (3') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.*

[(e) If compelled, because of structural conditions, to carry the vent outlet higher than twelve (12) feet above the fill box, and if the fill lines are connected to tank trucks by tight connections and filled by pressure, a one (1) inch line shall be connected to tank and shall parallel the fill line and terminate in the fill box with unthreaded end. A check valve shall be installed in the line so as to permit excess oil in the tank to flow to the fill box and shall be so set as to prevent the passage of vapor to the street.]

[Section 5. Return Line from Burners.

Return lines from burners, where used, shall not be smaller in diameter than the discharge outlet from the pump. They shall be connected into the supply line near the pump or into the storage tank without shut-off valve in the return line. No oil shall be returned to the storage tank at a temperature higher than one hundred and forty (140) degrees Fahrenheit.]

Section 6. Heating Coils in Storage Tanks.

All heating to reduce viscosity of fuel oils in storage tanks in any building shall be only by means of hot water coils [thermostatically controlled and the oil shall not be heated above one hundred and forty (140) degrees Fahrenheit] or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 7. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oiltight when not in use.

Rule 9. Valves and Control of Oil Flow [for Fuel Oil.]

[(a) In all installations a shut-off valve shall be provided at or on each burner. Where the top of the storage tank is located above the oil inlet connection to the burner, a shut-off valve shall be provided in the supply line inside the building as near the tank as practicable.

(b) In systems where either steam or air is used for atomizing the oil, the oil and atomizing supply shall be interlocked so that in case of interruption of the atomizing supply, the supply of oil will immediately be cut off.

(c) Automatic by-pass valves shall be set at not more than fifty (50) per cent above the maximum working pressure. This rule shall not apply to burners and pumps approved as a unit when provided with a pressure relief device.]

(a) *Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity shall be provided with a shut-off valve at the tank and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.*

(b) *Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located in the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.*

(c) *Oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a building only under the following provisions:*

1. *Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.*

2. *Such burners shall not be installed above the third floor level in any building. In no case shall oil be delivered at a height greater than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.*

3. *Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.*

4. *The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.*

(d) *A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located either inside or outside the entrance to the room in which the burner is located and as close to such entrance as practical, and shall be legibly labeled "Remote Control for Oil Burner."*

(e) *Except as provided by Rule 12 (b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.*

Rule 10. Oil Level Indicating Device [for Fuel Oil.] and Test Wells.

Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of fuel oil or vapor. [Test wells shall not be permitted in tanks located inside the building. Test wells when located outside the building shall be capped oil tight and kept closed when not in use.]

(b) *Test wells shall terminate outside of buildings and shall be capped oil tight and kept closed when not in use.*

(c) *All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings.*

PUBLIC HEARING

Rule 11. [Pumps for Fuel Oil.]

(a) Pumps shall be of a recognized standard mechanical construction approved by the Board of Standards and Appeals.

(b) Pumps shall be installed in duplicate where fire protection equipment is dependent on the use of fuel oil for heating or steam.

(c) Pumps located in the same room where burners are installed shall be provided with a remote control.

(d) Pumps used in connection with outside above ground storage tanks shall be located outside embankment walls, and at such a point that they will be accessible at all times, even if the oil in the tank or reservoir should be on fire.

(e) Pumps may be located below the top of the oil storage tanks or tanks where heavy oil is used having a gravity of not more than eighteen (18) degrees Baume and where the top of the tank or tanks is not more than ten (10) feet above the pump or pumps.

(f) Oil pumps used for supplying oil to the burners shall be rigidly fastened in place and secured against leaks.

(g) Where a pump is part of a burner unit and is used for atomizing purposes only, an additional approved pump may be used without the disconnection of the unit.]

Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 12. Burners [for Fuel Oil.]

[The burner mechanism shall be of recognized type approved by the Board of Standards and Appeals. In dwellings the burner shall be equipped with an overflow attachment or an automatic control to prevent flooding.]

Where an approved burner unit includes a pump as part of the unit, said pump or burner may be disconnected and used in conjunction with any other approved burner or pump.

A remote control shall be provided whereby the flow of oil to any burner can be stopped and such control shall be located either inside or outside the entrance to the room in which the burner is located and as close to such entrance as practicable.

The damper shall be so constructed that it cannot completely cut off the passage of the flue gases at any time.

Adequate ventilation at least equivalent to area of the smoke pipe at the point where it enters the flue shall be provided in all rooms in which burners are installed.]

(a) *Burners, including oil-burning heaters, shall be approved type, provided with suitable safeguards to prevent abnormal discharge of oil.*

(b) *Approval of burners or oil-burning heaters designed for installation with storage of not more than ten (10) gallons shall include approval of storage containers and limitations of installation and fire protection. If more than ten (10) gallons storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than ten (10) gallons capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.*

(c) *These rules shall not apply to oil stoves, oil heaters or oil lamps, commonly used for household purposes, which employ capillary wicks essential to continuous combustion, or to portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.*

Rule 13. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney. (See Code of Ordinances, Chapter V, Article 19.)

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[Rule 13. General Devices for Fuel Oil.]

(a) Devices which are subject to breakage and escape of oil shall be prohibited.

(b) When preheaters are used thermometers with large clear reading scales, placed in thermometer wells with screwed top connections, shall be installed at convenient and prominent positions in the oil supply lines between the service tank and the pumps, and also between the pumps and the burner, to indicate the temperature of the oil.]

Rule 14. Instruction Cards.

Cards giving complete instructions for the care and operation of the fuel oil system shall be permanently fixed near the apparatus and maintained in readable condition.

Where burners or oil-burning heaters designed for use with storage of not more than ten (10) gallons' capacity (Rule 12 (b)) are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

[Rule 15. Operation of Plant, Other Than in Dwellings, Using Fuel Oil.]

No fuel oil burning plant, other than in dwellings as defined in these rules, shall be operated unless in charge of a person holding a certificate of fitness as issued by the fire department. A certificate of fitness will be required for each person who is directly in charge of the operation of the plant at any and all times.]

[Rule 16. Installation.]

No fuel oil installation shall be operated or oil placed in the system until after a permit has been issued by the Fire Commissioner. Plans for each fuel oil installation, except in dwellings as defined in these rules, shall be submitted to the Fire Commissioner for approval, together with a Certificate of the Superintendent of Buildings indicating that the proposed construction of the enclosure and the location of the tanks are in accordance with the requirements of the Building Code and these Rules.] Note: See Scope.

[Rule 17. Auxiliary Tanks for Fuel Oil.]

(a) Auxiliary supply tanks may be of the gravity type if suitable automatic safeguards to prevent abnormal discharge of oil at the burner are provided. The total capacity of such tank or tanks in any building shall not exceed 60 gallons.

(b) Auxiliary supply tanks, or storage tanks, shall not be located within ten (10) feet of any fire or flame, and where practicable shall be placed at an interior angle of the cellar, formed by the walls of the building.

(c) Auxiliary supply tanks shall be substantially and rigidly supported on metal frames or cradles and secured by 2x1/8-inch straps riveted or bolted to frame and securely fastened to wall of building by rigid metal braces.

(d) Where only an auxiliary tank is prescribed in these rules is used it shall in addition to complying with the requirements for auxiliary tanks comply with all requirements for the protection of a storage tank other than the enclosure.

(e) Auxiliary supply tanks or storage tanks not exceeding 275 gallons may be of the gravity type if suitable automatic safeguards to prevent abnormal discharge of oil at the burner are provided. When this method of installation is used the connection for discharge of tank may be made at bottom of tank. The total capacity of such auxiliary supply tank or tanks in any building shall not exceed 275 gallons. This rule applies only to one and two-family dwellings.]

[Rule 18. Pilot Light.]

Automatic systems, unless electrically ignited, shall be so designed that the flame cannot be extinguished by operation of the automatic control valve and a pilot light of adequate intensity shall be provided in each combustion chamber, so arranged as not to be easily extinguished.]

[Rule 19. Furnaces and Ranges.]

Stoves, ranges, hot air furnaces or other devices, originally designed for use of fuel other than oil, shall not be used in connection with oil burners unless spaces in which

PUBLIC HEARING

vapors might collect are adequately vented, and if used shall be of such construction as to withstand the maximum temperature which the oil burning device to be installed may generate.]

Rule 20. Fire Protection.

[(a) In dwellings, as defined in these rules, any wood-work, wooden lath and plaster partition or other combustible material within four (4) feet of the sides or back or eight (8) feet from the front of the heating apparatus shall be covered with fire retarding material. Above the heating apparatus there shall be constructed a ceiling of fire retarding material (unless it be of fireproof construction) said ceiling shall extend at least four (4) feet beyond the sides and back and eight (8) feet from the front.

(b) In all buildings, other than in dwellings as defined in these rules, and garages the fire protection shall consist of either a heating apparatus room constructed of fireproof partitions of not less than four (4) inches in thickness with all openings protected by fire retarding material; or the entire ceiling, if not of fireproof construction, shall be protected by fire retarding material, and all vertical openings leading from the elevation on which the heating apparatus is located shall be enclosed by fire retarding materials with openings protected by fireproof self-closing doors.

(c) No combustible material shall be maintained within ten (10) feet of a heating apparatus, unless protected or separated by fire retarding or fireproof material.

(d) The ceiling, unless of fireproof construction, directly over and for a space of two (2) feet beyond each side of any smoke pipe, shall be protected with fire retarding material, and in addition any smoke pipe, if within 9 inches of any combustible ceiling, shall be protected with a covering of 1-inch air cell asbestos, or its equivalent.

(e) The floor of all boiler rooms must be of fireproof construction.]

(a) *The clear distance between any non-insulated parts of boilers, furnaces, or other heating apparatus, including smoke pipe connections to flues and combustible material, shall not be less than eighteen inches (18"). Where such parts are insulated by two inches (2") of asbestos or equivalent, the clear distance shall be not less than nine inches (9").*

(b) *No rubbish or other combustible material shall be stored within five feet (5') of heating apparatus.*

(c) *Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.*

[Rule 21. Systems Prohibited.

The use of auxiliary tanks of the pressure type between pump and burner unit is prohibited. Pressure in storage tanks for the purpose of discharging oil is prohibited.]

Rule 22. [Use of Fuel Oil.]

[(a) These Rules shall not apply to gas companies storing or using fuel oil in the manufacture of illuminating gas for public use.

(b) The use of oil stoves, oil heaters or oil lamps commonly used for household purposes which employ a wick to absorb such oil in its combustion shall not be prohibited;

or shall the use of such oil be prohibited when used in a plumber's torch or similar apparatus.

(c) The use of oil burning heaters using 38 to 42 Baume oil not employing a wick and when feed tanks of heaters do not exceed a total capacity of six gallons and when heater is not used for cooking purposes will not be prohibited when burners are of a type approved by the Board of Standards and Appeals and meet with the following requirements:

1. Heaters shall be firmly anchored to the floor, set level, with the floor beneath heater protected by an asbestos or equivalent shield.

This shield to extend in all directions at least 12" beyond the outside of complete unit.

2. The heater shall be directly connected to a smoke flue, the area of any damper not to exceed 80% of the area of smoke flue.

3. The oil tank of the heater shall be filled from storage located outside room in which heater is installed.

4. This subdivision of Rule 22 shall not in any way set aside or waive provisions in these rules governing storage tanks, except as follows:

First—Outside Buildings.

Permit storage of not more than fifty-five gallons, maintained in metal shipping container equipped with approved hand pump.

Second—Inside Buildings.

Permit storage of not more than 275 gallons if installed and maintained in compliance with Rules 17 of these rules and equipped with an approved hand pump.

5. This subdivision applies only to dwellings as defined in these rules and prohibits the use of not more than one heater in any one room.

6. Heater installation shall comply with the requirements of the building code and heater shall not be connected in any manner to hot water, steam or hot air furnace flues.] See Scope.

Inspection of Installations With Not More Than Ten (10) Gallons Storage Capacity.

All installations of burners with not more than ten (10) gallons storage capacity (except where such installations are made in dwellings or in the dwelling portion of any building) shall be reported by installer to the administrative official, giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 23. Modification.

When for any reason it may be impracticable to comply strictly with the foregoing rules or when additional protection is necessary, the [Fire Commissioner] administrative official shall have power [to modify their provisions so that the spirit and substance thereof shall be complied with. Such modification shall be endorsed upon the permit over the signature of the Fire Commissioner or designated representative of the Fire Commissioner.] *to accept substitute methods and material so that the spirit and substance of these rules shall be complied with.*

USE OF HYDRATED LIME IN CONCRETE

Adopted by the Board of Standards and Appeals, April 19, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

737-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue, Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

814-27-SA—Elkhart Flush Type Siamese, approval of.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A", approval of.

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line, approval of.

32-31-SA—Ray-Dio Sunshine Oil Burner, approval of.

534-31-SA—Page Fuel Burner, approval of.

209-32-SA—Croker 4-inch Siamese, approval of.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida, approval of.

286-32-SA—Hubbard Silent Electric Oil Burner, approval of.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner, approval of.

400-32-SA—Superfex Oil Burner for Warm-Air Furnaces, approval of.

528-32-SA—Weldon Extinguisher, approval of.

592-32-SA—The Ameroil Range Burners, approval of.

23-33-SA—Sunrex Range Oil Burner, approval of.

39-33-SA—Cutler-Hammer, Inc., Enclosed High and Low Water Float Switch for Standpipe Alarm Systems (Bulletin No. 10041), approval of.

62-33-SA—Florence Oil Heater, Model KC-8, approval of.

82-33-SA—Inferno Oil Burner, approval of.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns, approval of.

126-33-SA—Tower Range Oil Burner, approval of.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve, approval of.

164-33-SA—Firemaster Fire Extinguisher, approval of.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner), approval of.

195-33-SA—Bullet Automatic Oil Burners, Models A and B, approval of.

218-33-SA—Presto Gas Pressing Machine Burner No. 10, approval of.

222-33-SA—Dowie Combination Anti-Syphon Valve, approval of.

231-33-SA—Signal Engineering & Manufacturing Co. Interior Fire Alarm Box, approval of.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe, approval of.

271-33-SA—Perfect-Pantex Oil Burner, approval of.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters, approval of.

346-33-SA—Goodspeed Oil Burner Nozzle Type II, approval of.

349-33-SA—Herco Oil Burner, approval of.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1, approval of.

1-34-SA—Hager Silent Check Valve, approval of.

10-34-SA—Hupp Oil Burner, approval of.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

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Requests for mechanical installations.....	0	Requests to rescind granted.....	0
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		Administrative requests denied or withdrawn.....	0
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WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

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OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, March 13, 1934, at 2 P. M.

Approved Fireline Hose Valves.

Approved Burners for Industrial Use.

Reserve Calendar.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, March 19, 1934*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, March 26, 1934*, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to March 14, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
70-34-BZ.....	D.B.Q.....	Northwest corner Grand ave. & 73rd st. (Block 2507, Lot 68), Maspeth, Queens, N. B. 192-34

69-34-SA.....	F.D.....	Max Ashpes Pot Type Oil Burner, Appliance
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68-34-BZ.....	D.B.B.....	384-388 Schenck ave. (Block 4027, Lots 19 & 20), Brooklyn, Applic. 1278-34
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67-34-A.....	D.B.M.....	105-109 Hudson st. & 168-174 Franklin st., N. W. corner (Block 187, Lot 30), Manhattan, F-8862
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66-34-BZ.....	D.B.Bx...	1793 Weeks ave., S. W. corner East 175th st. (Block 2796, Lot 31), Bronx), N. B. 26-34
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65-34-BZ.....	D.B.B.....	5901-5911 13th ave. & 1302-1310 59th st., S. E. corner (Block 5712, Lot 1), Brooklyn, Applic. 1803-34
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64-34-A.....	F.D.....	121-131 West 19th st. (Block 795, Lot 27), Manhattan, F-2831
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Restored to Calendar.

336-33-S.....	D.B.B.....	435-445 Fulton st. and 408-420 Jay st., N. W. corner (Block 150, Lot 1), Brooklyn, L. D. 0434 & L. D. 0435 and Decision
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

	Last Publication in Bulletin
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	Jan. 9, 1934—Vol. 19 No. 2
Elevator Rules.....	Dec. 12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept. 26, 1933—Vol. 18 No. 39
Fire Drill Rules.....	May 30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.	Nov. 28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of.....	Mar. 6, 1934—Vol. 19 No. 10
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4 No. 3
Fuel Oil Rules.....	Jan. 2, 1934—Vol. 19 No. 1
Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10 No. 14
Hatchway Protection.....	June 5, 1928—Vol. 13 No. 23
Paint, Varnish and Lacquer Spraying Rules.....	June 13, 1933—Vol. 18 No. 24
Plumbing Rules.....	Nov. 7, 1933—Vol. 18 No. 45

Procedure, Rules of.....	June 20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O.	Feb. 13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for.....	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules.....	Jan. 16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules.....	Sept. 26, 1933—Vol. 18 No. 39
Structural Alterations, Reporting.....	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	Mar. 20, 1934—Vol. 19 No. 12
Fuel Oil Burners for Domestic and Commercial Use.....	Mar. 6, 1934—Vol. 19 No. 10
Fuel Oil Burners for Industrial Use.....	Mar. 20, 1934—Vol. 19 No. 12
Fuel Oil Pumps.....	Feb. 20, 1934—Vol. 19 No. 8

COURT DECISION

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

Business Thoroughfares, Inc., vs. Murdock—Mr. Justice Lockwood—Board sustained. Sept. 26, 1933, Board denied application for gasoline service station, in business district, under section 21. Cal. No. 144-33-BZ; Premises S. W. corner 111th avenue and Lakewood avenue, Dunton, Queens.

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 19, 1934, AT 2 P. M.

Building Zone Cases.

546-32-BZ.

APPLICANT—Archie H. Samuels, for 88th St. Holding Co., Inc., owner.

PREMISES—Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), The Bronx.

APPLICATION, under section 7f of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously denied under section 21; reopened January 9, 1934).

4-34-BZ.

APPLICANT—Max Siegel, for Josephine J. Schnurmacher, owner.

PREMISES—West side of White Plains road, 245.85 ft. north of 226th street (Block No. 4829, Lot No. 11), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station.

345-33-BZ.

APPLICANT—Walter Zeitz, for Walmere Realty Co., Inc., owner.

PREMISES—3146 Heath avenue, south side, 117'8" west of Kingsbridge terrace (Block No. 3257, Lot No. 53), The Bronx.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a building to be used for business use (stores).

302-33-BZ.

APPLICANT—Frank Giorgio, Jr., for Antonio and Rose Montelone, owners.

CALENDAR

PREMISES—Northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

353-33-BZ.

APPLICANT—Saul Goldsmith, for Ellen Martin, owner.
PREMISES—407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

387-33-BZ.

APPLICANT—William Mulligan, owner.
PREMISES—122-12 25th road (Block No. 218, Lot No. 29), College Point, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence district the alteration and change of occupancy to an existing dwelling so as to include a business use (store).

11-34-BZ.

APPLICANT—Joseph Walsh, for Harry Koggan, owner.
PREMISES—273 Chester street, east side, 179'2 3/4" south of Blake avenue (Block No. 3560, Lot No. 12), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the change of occupancy of an existing premises to junk shop.

MARCH 20, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 20, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 308-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Jacob E. Hurwitz, applicant, on behalf of Alice Fadool, owner, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use; premises 195 Prospect Park, West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

CAL. NO. 198-33-BZ—Application, May 29, 1933; withdrawn July 18, 1933; reopened and restored to Calendar January 3, 1934, under section 21 of the building zone resolution, of John J. Hegarty, applicant, on behalf of Port of New York Authority, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises West side of Haven avenue, 217'4 1/2" north of West 172d street (Block No. 2139,

part of Lot Nos. 275 and 357), Manhattan.

CAL. NO. 284-32-BZ—Application, May 24, 1932; denied November 4, 1932, under section 7f of the building zone resolution; reopened December 27, 1933, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Rock Jay Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises west side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

CAL. NO. 161-33-BZ—Application, April 28, 1933; denied July 18, 1933; reopened under new facts September 26, 1933, under section 21 of the building zone resolution, of Frank B. Reardon, applicant, on behalf of Theodore G. Zeh, owner, to permit in a residence district the change of occupancy in part of an existing residence building to a business use; premises 170-07 115th avenue (Block No. 3087, Lot No. 350), Jamaica, Borough of Queens.

CAL. NO. 386-33-BZ—Application, December 28, 1933, under section 21 of the building zone resolution, of Marcus L. Bermann, applicant, on behalf of Ralph Horton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Eastern boulevard and Sound View avenue, through to Croes avenue (Block No. 3722, Lot No. 18), The Bronx.

CAL. NO. 368-33-BZ—Application, December 7, 1933, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Sonsam Corporation, owner, to permit partly in a business district and partly in a resident district, the erection and maintenance of a gasoline service station; premises Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

CAL. NO. 132-31-BZ—Application, March 19, 1931; dismissed for lack of prosecution, December 4, 1931; reopened and restored to Calendar, November 21, 1933, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wandil Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station and a motor vehicle repair shop; premises northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

MARCH 20, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, March 20, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 116-33-BZ—Application, March 27, 1933; denied June 27, 1933; request for reopening withdrawn July 18, 1933; reopened January 26, 1934, for reconsideration under new facts, under sections 7e and 21 of the building zone resolution, of Arthur F. Lamanda, applicant, on behalf of Katherine Alberti, owner, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ; premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

CAL. NO. 287-33-BZ—Application, September 6, 1933, under section 21 of the building zone resolution, of Fred Meier, applicant, on behalf of William Allan, owner, to permit in a business district the erection and maintenance of a gasoline service station; January 9, 1934, laid over for full vote of Board; restored to Calendar March 6, 1934; premises northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

CAL. NO. 597-32-BZ—Application, December 2, 1932, under section 21 of the building zone resolution, of Henry A. Urquhart, applicant, on behalf of John Wischerth, owner, to permit in a business district the erection and maintenance of a gasoline service station; denied October 17, 1933; remitted by Court for further consideration February 17, 1934; restored to Calendar March 6, 1934; premises 33-41 Stone avenue, southeast corner of McDougal street (Block No. 1535, Lot No. 1), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR MONDAY, MARCH 26, 1934, AT 2 P. M.

Building Zone Cases.

5-34-BZ.

APPLICANT—Louis I. Becker, for Elsie S. Domville, owner.

PREMISES—15 East 61st street (Block No. 1376, Lot No. 12), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to business use (restaurant).

1213-24-BZ.

APPLICANT—Chas. Schaefer, Jr., for T. & R. Construction Co., owner.

PREMISES—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously denied for a garage; reopened October 3, 1933).

42-34-BZ.

APPLICANT—Jack Jacobson, for Emdee Management, Inc., owner.

PREMISES—389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

28-34-BZ.

APPLICANT—John J. Dunnigan, for Nac Holding Corp., owner.

PREMISES—2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

396-30-BZ.

APPLICANT—Benjamin Baser, for Isidor Schraub and Celia Silverman, owners.

PREMISES—65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 21), Woodside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar December 5, 1933).

383-33-BZ.

APPLICANT—Aaron G. Alexander, for Matin Realty, Inc., owner.

PREMISES—Northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos. 1, 8 and 11), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

15-34-BZ.

APPLICANT—Julius Auserehl, owner.

PREMISES—Northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

6-34-BZ.

APPLICANT—Harry A. Yarish, for Allan A. Kurtz, owner.

PREMISES—507-511 Foster avenue, north side, 178' 6¾" west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.

CALENDAR

APPLICATION, under sections 7a, 7e and 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of stables for more than five (5) horses.

MARCH 27, 1934, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 27, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 97-30-BZ—Application, February 7, 1930, under section 21 of the building zone resolution, of Charles Tolleris, applicant, on behalf of 5612 18th Avenue Realty Corp., owner, to permit in a business district the installation of a gasoline service station (previously granted April 22, 1930, for a motor vehicle repair shop for minor repairs, which variation superseded the grant of February 3, 1925, under Cal. No. 1266-24-BZ, for a milk distributing station); premises 5612-5614 18th avenue (Block No. 5493, Lot No. 40), Brooklyn.

CAL. NO. 348-33-BZ—Application, November 17, 1933, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Bleitborn Building and Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Brooklyn.

CAL. NO. 364-33-BZ—Application, December 5, 1933, under section 21 of the building zone resolution, of Joseph S. Gershman, applicant, on behalf of Maphi Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises northeast corner of Hillside avenue and Chelsea road (187th street); (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 379-33-BZ—Application, December 18, 1933, under section 21 of the building zone resolution, of Andrew Havrylok, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

CAL. NO. 382-33-BZ—Application, December 26, 1933, under section 21 of the building zone resolution, of Andrew Yablonsky, applicant and owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop; premises southeast corner of Merrick road

and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

CAL. NO. 3-34-BZ—Application, January 10, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Estate of Jonas Weil, owner, to permit in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles which is located in an unrestricted district; premises 229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot No. 13), Manhattan.

CAL. NO. 8-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wardell Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1934, 2 P. M.

Appeals from Administrative Orders.

377-33-A—116-09 to 116-11 15th avenue (Block No. 107, Lot Nos. 41 and 26), College Point, Borough of Queens.

31-34-A—395-401 Fourth avenue and 100-112 East 28th street (Block No. 883, Lot No. 88), Manhattan.

40-34-A—61-65 West 23rd street (Block No. 825, Lot No. 9), Manhattan.

52-34-A—Northeast corner of Parsons boulevard and Elm street (Block No. 1181, Lot No. 1), Flushing, Borough of Queens.

Petition for Variation

336-33-S—435-445 Fulton street and 408-420 Jay street, northwest corner (Block No. 150, Lot No. 1), Brooklyn.

Appliance Submitted for Approval.

55-34-SA—Atlas Pressure Tank for Paint Spraying.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, March 27, 1934*, at 2 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 457-30-BZ—Application, June 27, 1930; withdrawn October 21, 1930; reopened September 12, 1933, under section 21 of the building zone resolution, of Frank Caraccia, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Borough of Richmond.

CALENDAR

CAL. NO. 356-33-BZ—Application, November 21, 1933, under sections 7c and 21 of the building zone resolution, of Jack Fein, applicant, on behalf of Enmor Realty Corporation, owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a business building (stores); premises 1919-1929 Avenue V and 2628-2632 Ocean avenue, northwest corner (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

CAL. NO. 354-33-BZ—Application, November 21, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Edlar Realty Corp., owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

CAL. NO. 357-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of DeRose and Cavaliere, applicants, on behalf of Ida M. Hewitt, owner, to permit in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station; premises 3349-3357 East Tremont avenue, east side, 75 ft. south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), The Bronx.

CAL. NO. 376-33-BZ—Application, December 13, 1933 under section 21 of the building zone resolution, of Clifford F. Hart, applicant, on behalf of Benjamin G. Hitchings Lumber Corp., owner, to permit partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop; premises 3202-3224 Avenue H, south side, from East 32nd street to New York avenue (Block No. 7578, Lot Nos. 53 and 57), Brooklyn.

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 2, 1934, AT 2 P. M.

Building Zone Cases.

347-33-BZ.

APPLICANT—Aaron H. Schwartz, for Webames Realty Corporation, owner.

PREMISES—138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), The Bronx.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence district the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling.

1236-27-BZ.

APPLICANT—Archie H. Samuels, for Dorothy Rehder, owner.

PREMISES—Southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously granted on certain conditions and the time within which to obtain permits and complete work has expired; reopened January 9, 1934).

9-34-BZ.

APPLICANT—Robert Gottlieb, for Alna Holding Corporation, owner.

PREMISES—4756 Third avenue, northeast corner of East 189th street (Block No. 3033, Lot No. 53), The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing storage warehouse to a factory.

44-34-BZ.

APPLICANT—Robert Schnepfer, for Annuncio Ambrosia, owner.

PREMISES—137-02 to 137-10 Linden boulevard, southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

50-34-BZ.

APPLICANT—Adolph Goldberg, for North Shore Motor Sales Co., Inc., owner.

PREMISES—153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

APPLICATION, under sections 7a, 7c and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry.

APRIL 3, 1934, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 3, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 53-30-BZ—Application, January 24, 1930; withdrawn April 29, 1930; reopened and restored to Calendar October 10, 1933, under section 21 of the building zone

CALENDAR

resolution, of Jacob Rudd, applicant, on behalf of Metropolitan Savings Bank, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 97-107 Kenmare street and 15 Cleveland place, northeast corner (Block No. 481, Lot No. 7), Manhattan.

CAL. NO. 512-31-BZ—Application, October 19, 1931; withdrawn January 19, 1932; reopened and restored to Calendar November 14, 1933, under section 21 of the building zone resolution, of George Tiernan, applicant, on behalf of Regina Boulevard Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

CAL. NO. 343-33-BZ—Application, November 14, 1933, under section 21 of the building zone resolution, of Milton Kaplan, applicant, on behalf of Milton Kaplan and Katie Baum, owners, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Brooklyn.

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

CAL. NO. 24-34-BZ—Application, January 29, 1934, under section 21 of the building zone resolution, of Goldie Harris, applicant and owner, to permit the extension from a business district into a residence district of a proposed theatre and store building; premises 3117-3127 Surf avenue, northeast corner of West 32nd street (Block No. 7049, Lot Nos. 51, 53 and 58), Brooklyn.

CAL. NO. 148-33-BZ—Application, April 19, 1933; withdrawn October 10, 1933; reopened and restored to Calendar January 3, 1934 under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Noviack Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Hollis avenue and Cross Island boulevard (Block No. 1882, Lot No. 106), Hollis Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1934, 10 A M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 10, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 373-33-BZ—Application, December 11, 1933, under section 21 of the building zone resolution, of Henry J. Nurick, applicant, on behalf of Michael Salit, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 176-192 Kings Highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

CAL. NO. 327-33-BZ—Application, October 18, 1933, under section 21 of the building zone resolution, of Harold J. Crawford, applicant on behalf of Nora Eberhardt, owner, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building; premises 21-17—30th avenue (Block No. 547 Lot No. 7), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 10, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matter:*

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 17, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 380-33-BZ—Application, December 19, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Frank Teltsch, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MARCH 13, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the Board held on Tuesday morning, March 6, 1934, and the minutes of the regular meeting of the Board held on Tuesday afternoon, March 6, 1934, were approved as printed in Bulletin No. 11, Vol. XIX.

BUILDING ZONE CASES.

356-33-BZ.

APPLICANT—Jack Fein, for Enmor Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7c and 21 of the building zone resolution, to permit partly in a residence district and partly in a business district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—1919-1929 Avenue V, 2628-32 Ocean avenue, northwest corner (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

APPEARANCES—

For Applicant: James S. Kleinman.

For Opposition: Vincent Gillon, John H. Roberts.

ACTION OF BOARD—Laid over to March 27, 1934, at 2 p. m., for report of committee on inspection. No further argument.

354-33-BZ.

APPLICANT—Joseph B. Schwartz, for Edlar Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

APPEARANCES—

For Applicant: Miss C. Johnston, Joseph B. Schwartz.

For Opposition: Patrick J. Gowney, Mrs. David R. Lamont, William R. Mundorf, Richard J. Casey, Frank Lutz.

ACTION OF BOARD—Laid over to March 27, 1934, at 2 p. m., for report of committee on inspection. No further argument.

357-33-BZ.

APPLICANT—DeRose and Cavalieri, for Ida M. Hewitt, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station.

PREMISES AFFECTED—3349-3357 East Tremont avenue, east side, 75 ft. south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), The Bronx.

APPEARANCES—

For Applicant: George J. Cavalieri, George Hewitt.

For Opposition: None.

ACTION OF BOARD—Laid over to March 27, 1934, at 2 p. m., for report of committee on inspection. No further argument.

373-33-BZ.

APPLICANT—Henry J. Nurick, for Michael Salit, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—176-192 Kings highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Alderman Louis Isnardi.

ACTION OF BOARD—Laid over to April 10, 1934, at 10 a. m., on written request of applicant and owner.

376-33-BZ.

APPLICANT—Clifford F. Hart, for Benjamin G. Hitchings Lumber Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution to permit partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop.

PREMISES AFFECTED—3202-3224 Avenue H. south side, from East 32d street to New York avenue (801-821 East 32d street and 1676-1696 New York avenue); (Block No. 7578, Lot Nos. 53 and 57), Brooklyn.

APPEARANCES—

For Applicant: Clifford F. Hart, Benjamin G. Hitchings.

For Opposition: Thomas E. Brownlee, Louis W. Kaplan, Paul Cordasco, Mrs. L. Hollenback, Elizabeth G. Keithley, Irva Smith, Charles Kaiser, Nellie W. Riley.

ACTION OF BOARD—Laid over to March 27, 1934, at 2 p. m., for report of committee on inspection. No further argument.

378-33-BZ.

APPLICANT—Rubenstein and Rosling, for Kings Brewery, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building).

PREMISES AFFECTED—225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

APPEARANCES—

For Applicant: George Rosling, S. Cohen, for commissioner of buildings.

For Opposition: Charles H. Levy, Mr. Merl.

ACTION OF BOARD—Laid over to March 27, 1934, at 2 p. m., for report of committee on inspection. No further argument.

380-33-BZ.

APPLICANT—Joseph B. Schwartz, for Frank Teltsch, owner.

MINUTES

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—475-477 Kings highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Schwartz.

For Opposition: Frederick Musty, Lazarus Rosenberg.

ACTION OF BOARD—Laid over to April 17, 1934, at 2 p. m., for applicant to file corrected plans. No further argument.

384-33-BZ.

APPLICANT—Charles M. Lobejager, for Harry Sheer, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and, also, the creation of a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—Southeast corner of Cross Island boulevard and 195th street (Block No. 976, Lot No. 1), Auburndale, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative

Absent

29-31-BZ.

APPLICANT—J. Nelson Cooper, for Lincoln Warehouse Corp., owner.

SUBJECT—Application (decision of the superintendent of buildings), under section 7c of the building zone resolution, to permit in a residence district the erection and maintenance of an extension to an existing business building (laid over November 12, 1931, for full vote of the board).

PREMISES AFFECTED—1187-1201 Third avenue, 204 East 70th street and 203 East 69th street (Block No. 1424, Lot No. 1), Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative

Absent

268-33-BZ.

APPLICANT—Bly and Hamann, for Francesca Viegall, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 7b of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a building to be used as a store on the first story and as dwelling above.

PREMISES AFFECTED—535 Rutland road, north side, 94 ft. 6½ in. west of Kingston avenue (Block No. 4803, Lot No. 43), Brooklyn.

APPEARANCES—

For Applicant: James F. Bly.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(268-33-BZ)

WHEREAS, this application affecting premises 535 Rutland road, north side, 94 ft. 6½ in. west of Kingston avenue (Block No. 4803, Lot No. 43), Borough of Brooklyn, was granted by the board November 8, 1933, on certain conditions, and applicant requests an amendment to the resolution.

Resolved, that the resolution adopted by the board on November 8, 1933, only so far as it refers to permits and the completion of the work be amended so that as amended this clause will read:

"That permits for the construction of the 1st floor and basement of this building shall be obtained within three months and work thereon completed within six months from the date of this amended resolution; that permits for the second story of the building shall be obtained and construction thereof completed within one year from the date of this amended resolution, that other than as amended herein, the resolution adopted November 8, 1933, shall be complied with in all respects."

Adjourned, 1:15 p. m.

EDWARD V. BARTON, Chief Clerk.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 13, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

APPEALS FROM ADMINISTRATIVE ORDERS.

377-33-A.

APPELLANT—Fred Weber, for Antoinette Weber, owner.

SUBJECT—Appeal from an order of the fire commissioner and a decision of the commissioner of buildings.

PREMISES AFFECTED—116-09 and 116-11 Fifteenth avenue (Block No. 107, Lot Nos. 41 and 26), College Point, Borough of Queens.

APPEARANCES—

For Appellant: Fred Weber.

For Administration: None.

ACTION OF BOARD—Laid over to March 27, 1934, at 2 p. m., for inspection by a committee of the board.

371-33-A.

APPELLANT—Croker Fire Prevention Corp., for John R. Murray, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—Foot of Beach 79th street, north side of L. I. Railroad (Block No. 545, Lot No. 1), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Appellant: Sidney L. Strauss.

For Administration: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(371-33-A)

WHEREAS, Croker Fire Prevention Corp., for John R. Murray, owner, filed, December 7, 1933, an appeal from a decision of the commissioner of buildings affecting premises Foot of Beach 79th street, north side of L. I. Railroad (Block No. 545, Lot No. 1), Rockaway Beach, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings, dated November 28, 1933, Plan No. Alt. No. 8291-33, reads:

"1. The installation of fuel oil tanks as shown on plan does not conform with the rules of the Board of Standards and Appeals. Application will not be further considered."

and

WHEREAS, the premises consist of a plot 105 ft. by 350.75 ft. irregular in depth, bounded at the north by Barbadoes Basin; a two story frame building, 105 ft. by 330 ft., irregular in depth; OCCUPIED for the manufacture of ice; located within an unrestricted use district; and

WHEREAS, the appellant has filed plans showing the fuel oil storage system erected in a concrete basin, located in the north yard—court about 40 ft. from the nearest building, consisting of three (3) storage tanks, each of 8,000 gallons capacity, covered by earth fill, and one (1) exposed feed tank of 1,000 gallons capacity from which the Diesel engines on the first story of the main building are supplied with fuel oil by gravity through an underground main; the tanks extend above grade level and are connected by piping and a pump suctioning from the 8,000 gallon tanks

so as to maintain a constant supply of fuel oil in the 1,000 gallon feed tank; the appellant contends that the existing oil storage system has been in operation during the past 25 years, meets with the requirements of the Code of Ordinance and the rules and regulations of the authorities having jurisdiction; there is no existing fire hazard; furthermore, that the fuel oil rules of the board do not apply to the storage of oil used for the operation of Diesel engines.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the tank installation shall comply with the requirements of the Code of Ordinances and that no tank in which the fuel oil is supplied to the Diesel engines by gravity shall have a capacity greater than one thousand gallons; and that this tank shall be adequately supported on approved steel framework.

17-34-A.

APPELLANT—Estate of Philip G. Hubert, owner.

SUBJECT—Appcal from an order of the commissioner of buildings.

PREMISES AFFECTED—115-119 West 58th street (Block No. 1011, Lot No. 25), Manhattan.

APPEARANCES—

For Appellant: Albert Rodgers.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Absent

THE RESOLUTION—

(17-34-A)

WHEREAS, Estate of Philip G. Hubert, owner, filed, January 25, 1934, an appeal from an order of the commissioner of buildings affecting premises 115-119 West 58th street (Block No. 1011, Lot No. 25), Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated January 2, 1934, Order No. 7890-F, reads:

"Provide telegraphic communication with department headquarters as provided for by City Ordinances. Section 20, Chapter 12, Code of Ordinances."

and

WHEREAS, the building is fireproof, 12 stories in height, 75 ft. by 90 ft. in area; OCCUPIED as an apartment hotel, not more than 12 persons per story, a total of 93 persons; and

WHEREAS, the appellant claims the building was erected about 1900, no certificate of occupancy has been issued; the building is about 220 ft. distant from the nearest fire alarm box; telephone switchboard service is provided with an operator maintained on duty at all times; the use of the building is non-hazardous, having non-housekeeping apartments; the total occupancy will be maintained less than 100 persons in the future; furthermore, the appellant contends that due to the economic conditions, the cost of installation and maintenance of direct telegraphic service would be a great hardship upon the owner; and

WHEREAS, the board deemed that there was no hardship involved and that telegraphic communication was necessary for the safety of the occupants of the hotel.

Resolved, that the order of the commissioner of buildings be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

248-33-A.

APPELLANT—Brooklyn and Queens Y.M.C.A., owner.

SUBJECT—Application for reopening—amendment—re Appeal from order of the fire commissioner.

MINUTES

PREMISES AFFECTED—89-25 Parsons boulevard
(Block No. 834, Lot No. 1), Jamaica, Queens.

APPEARANCES—

For Appellant: R. Frank Woodhull.
For Administration: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(248-33-A)

WHEREAS, this appeal affecting premises 89-25 Parsons boulevard (Block No. 834, Lot No. 1), Jamaica, Borough of Queens, was granted by the board November 21, 1933, amended January 26, 1934, on certain conditions, and appellant requests a further amendment.

Resolved, that the resolution adopted by the board on November 21, 1933, amended January 26, 1934, be amended so that as amended it will read:

Granted on condition that there shall be at no time more than two tanks of chlorine on the premises, each tank containing no more than 20 pounds of chlorine; that each tank shall be immersed in water in the room as indicated on plans filed, marked "Received January 9, 1934"; that this room shall be located in the basement and shall be completely enclosed with fireproof construction; that the door to same shall be fireproof and vapor-tight; that the sill to this door shall be at least 6 in. in height; that there shall be provided a vent not less than 6 in. by 6 in. extending from a point not more than 6 in. above the floor of the room to the outer air, that a vent opening at least 6 in. by 3 in. with a hinged light metal shutter on the inside to permit the intake of air shall be placed on the outside wall near the ceiling with an open sprinkler head installed in this room near the ceiling; that this sprinkler head shall be supplied with water from the house service line with a control valve on the exterior of the room; that the chlorine equipment shall be properly regulated with a Wallace & Tiernan or similar valve approved by the fire commissioner and that the system shall at all times be under the supervision of an engineer holding a certificate of fitness.

529-32-A.

APPELLANT—Dry Dock Savings Institution, owner.

SUBJECT—Application for reopening—extension of time—re Appeal from a decision of the superintendent of buildings.

PREMISES AFFECTED—602-606 Madison avenue (Block No. 1293, Lot No. 57), Manhattan.

APPEARANCES—

For Appellant: William Hart.
For Administration: None.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5

Negative 0
Absent 0

THE RESOLUTION—

(529-32-A)

WHEREAS, this appeal affecting premises 602-606 Madison avenue (Block 1293, Lot 57), Borough of Manhattan, was granted by the board January 20, 1933, on certain conditions and appellant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the Board on January 20, 1933, be reaffirmed to permit the continuance of the oversized dumbwaiter as permitted in the said resolution for an additional year from the date of this amended resolution.

BUILDING ZONE CASES.

366-33-BZ.

APPLICANT—Thomas D. Conroy for Marie Whitehurst Conroy, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7b of the building zone resolution, to permit partly in a business district and partly in a residence district, the alteration and change of occupancy of part of an existing building from dwelling to business use.

PREMISES AFFECTED—71 West 11th street (Block No. 575, Lot No. 85), Manhattan.

APPEARANCES—

For Applicant: Thomas D. Conroy.
For Opposition: Edward G. Steinert.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4
Negative: Assistant Chief Kidney..... 1
Absent 0

THE RESOLUTION—

(366-33-BZ)

WHEREAS, Thomas D. Conroy, for Marie Whitehurst Conroy, owner, filed, December 4, 1933, an application under the building zone application to permit partly in a business district and partly in a residence district, the alteration and change of occupancy of part of an existing building from dwelling to business use;; premises 71 West 11th Street (Block No. 575, Lot No. 85), Manhattan; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 13, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 6th avenue is in a business district, West 11th street is in a residence district and West 12th street is in a residence district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered November 23, 1933, re: Certificate of Occupancy, reads:

"Relative to your application for a certificate of occupancy dated November 22nd, 1933, to permit a restaurant in the basement and first floor of the above premises, you are advised that approval of a restaurant in the basement and first floor cannot be granted as the building is partly in a residential zone and such occupancy is contrary to the zoning law."

and

WHEREAS, the existing building is of non-fireproof construction, 3 stories and basement in height, with a frontage of 22 ft. 9 in., and a depth of 55 ft. 3 in. The westerly portion (8 ft. 6 in.) of the existing building is in the business district and the easterly portion (14 ft. 3 in.) is in the residence district. It is proposed to occupy the basement and first story of the building as a restaurant and the upper stories for dwelling use; and

MINUTES

WHEREAS, these premises were the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 366-33-BZ.

Premises, 71 West 11th street (Block 575, Lot 85), Manhattan.

This is an appeal to permit, under Section 7-b of the Zoning Resolution, a non-conforming use for a restaurant to occupy the basement and parlor floor without exterior alterations.

The building is a three-story and basement building formerly a single family house located on the north side of West 11th street near Sixth avenue. The plot has a frontage of 22 ft. 9 in. of which 8 ft. 6 in. toward the west is within the area zoned for business and the balance of 14 ft. 3 in. is in the residence area.

The basement and parlor floor are now occupied by a restaurant formerly called a club which has a permit as a restaurant from the Health Department and a liquor license. The Commissioner of Buildings has refused to issue a certificate of occupancy and a violation for the illegal occupancy was issued by the Commissioner of Buildings on January 30, 1934, after the appeal was filed.

The upper floors are occupied as apartments for two families, the Tenement House Department having inspected the premises and reported that the building is not a Class A Multiple Dwelling. In the yard has been erected a pipe framework over which a canvas is stretched for summer dining.

While the owner is not called upon to prove hardship in a case brought under section 7-b, there nevertheless exists conditions which the Board can well take into account in the consideration of this application for variance, besides the fact that the lot is located partly in a business district. The adjoining building to the West is used for business and has built the front for two stories out to the building line. To the East are old law tenements. Across the street is a small cemetery and further to the East and much nearer the private houses, owners of which are among the objectors, are three buildings used for restaurant purposes, these being so used prior to zoning. These restaurant owners are also in objection. A private house so close to Sixth avenue would be undesirable.

In view of all these facts, the Committee recommends that in spite of the existing illegal use that the variance should be granted provided that no structural changes are made in the exterior to indicate a change to business use, that there be no increase in height or area of the existing building; that no permanent structure be erected in the rear yard other than the existing pipe frame work; that fire stops be constructed effectually to cut off the restaurant portion from the upper residential stories; that some secondary means of exit be provided to permit access to the fire escape of the adjoining building or that the stairway be carried up to the roof and a means be provided to gain access to adjoining roofs. The Committee considers that the building as now occupied is a fire hazard and that protection should be provided.

The Committee inspected these premises and the adjoining section on March 1, 1934, and recommend that the application be granted with the conditions above set forth.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, the Board is empowered under the provisions of Section 7, Subdivision B of the Building Zone Resolu-

tion, to grant a variation for business use, where property is bisected by two use districts, i.e., business and dence.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* to permit the basement and first story of premises under appeal to be used for business use, as a restaurant, *on condition* that there shall be no exterior structural alterations made to the building to indicate its use for business; that the building shall not be extended to the building line; that the building shall not be increased in height or area; that the portion used for business occupancy shall be completely blocked off from the balance of the building by approved fire stops; that no structure shall be erected in the rear yard other than the existing pipe framework as a temporary shelter; that there shall be provided a second means of exit from the upper stories now used for the two apartments which shall be either a connection on each floor to the fire escape of the adjoining building to the west or a stair carried to the roof with a vertical ladder to permit escape to the roofs of adjoining buildings to east or west or in lieu of these means of exit, a sprinkler system in the stairhall as permitted in a converted dwelling under the Multiple Dwelling Law; that the two upper stories shall at no time be used for the occupancy of more than two families; that no signs shall be exhibited on the front of the premises indicating the business use other than at the entrance door to the basement; that all permits required shall be obtained within three months and all work completed within six months from the date of this action.

77-33-BZ.

APPLICANT—Anthony P. Sorice, Jr., for Vincent J. Repaci, owner.

SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPEARANCES—

For Applicant: Frank Bambara.

For Opposition: None.

ACTION OF BOARD—Application granted on condition THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4

Negative: Assistant Chief Kidney..... 1

Absent 0

THE RESOLUTION—

(77-33-BZ)

WHEREAS, Anthony P. Sorice, Jr., for Vincent J. Repaci, owner, filed, February 27, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 13, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in an unrestricted and business district, New York boulevard is in an unrestricted and business district, Marsden street is in a residence district and 115th street is in a business district; and

MINUTES

WHEREAS, the decision of the commissioner of buildings, rendered February 10, 1933, re Plan No. 224-1933, reads:

"1. The erection of a gasoline station in a business district is contrary to art. 2, section 4, subd. 46 BZR. "Not further examined."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 94.3 ft. on Linden boulevard, 85.3 ft. on New York boulevard—upon which it is proposed to erect a one-story office 18 ft. by 18 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal was the subject of an inspection by a committee of the board, a report of which inspection was read at this hearing and in which it stated that in the opinion of the committee the applicant was entitled to relief under section 21 of the building zone resolution for a variation to permit the erection and maintenance of a gasoline service station for a period of five years from the date of this action.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 of the building zone resolution for a period of five years from the date of this action *on condition* that the entire area shall be leveled substantially to the grade of Linden boulevard and New York boulevard; that there shall be erected on the interior lot lines continuously from Linden boulevard to New York boulevard a wooden fence constructed of timber posts and half-timber rails and not less than 5 ft. in height; that the accessory buildings consisting of an office and a covered section for greasing shall be erected toward the centre of the plot, as indicated on plans filed with this application; that these buildings shall be constructed of incombustible materials except that the roof beams, roof boarding, windows and doors may be of wood; that the ceilings throughout shall be fire-retarded in accordance with the rules of the board of standards and appeals; that the roofs shall be covered with incombustible materials; that the greasing pits shall be constructed with the front left open; that no gasoline pumps shall be erected nearer than 10 ft. to either street building line or interior lot line or within 10 ft. of any portion of the main wall of accessory building; that there shall be not over three curb cuts from Linden boulevard and not over two from New York boulevard, each cut not to exceed 30 ft. in width; that the entire plot where not covered by accessory buildings shall be either cement-paved or covered by cracked bluestone, except the area as indicated on the plans, which shall be landscaped and maintained in a presentable condition at all times; that signs advertising nonconforming uses shall be limited to the illuminated globes of the gasoline pumps and to two post standards toward the Linden boulevard front of the property, where indicated; that the lights from these standards shall be equipped with metal reflectors so as to throw the light away from the adjacent buildings; that there shall be no automobile repairing carried on in the premises and no storage or parking of cars other than those being serviced; that there shall be no open flame permitted on the property; that no portable gasoline pumps shall be permitted on the property; that there shall be no open excavations on any portion of any accessory buildings except for the greasing racks; that plans shall be submitted to the board and approved by the chairman in behalf of the board before plans are filed with the commissioner of buildings; that all permits shall be obtained within three months and all work completed within six months from the date of this action.

315-33-BZ.

APPLICANT—William J. Russell, for Russand Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to calendar January 16, 1934).

PREMISES AFFECTED—Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: William J. Russell.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(315-33-BZ)

WHEREAS, William J. Russell, for Russand Realty Co., owner, filed, October 6, 1933; dismissed for lack of prosecution, December 27, 1933; reopened and restored to calendar an application under the building zone application to permit January 16, 1934; in a business district the erection and maintenance of a gasoline service station; premises: Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 13, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Astoria avenue is in a business district, 44th street is in a business and unrestricted district and 45th street is in a residence, business and unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 27, 1933, re N. B. 802-33, reads:

"1. Erection of a Gasoline Service Station in a business district is contrary to Art. 2, Section 4, Subdivision 46 of the Zoning Resolution. (Not further examined.)"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Astoria boulevard, and 95.3 ft. on 44th street. A portion (the southeast corner) of the plot is in the unrestricted district and the remainder is in the business district. Proposes to erect on the site a one-story office and grease pit structure 20 ft. by 34 ft. and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal was the subject of an inspection by a committee of the board, report of which was read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 315-33-BZ.

Premises: Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Queens.

The zoning variance applied for in this case is for a gasoline service station on the block front on 44th street and Astoria avenue, Astoria, Queens. The gasoline station is for the corner plot. It is now zoned for a business use but adjoins and is opposite unrestricted areas. The plot is very close to the structure of the overhead connecting railway and a new boulevard has been proposed as an approach to the Triborough Bridge, which would parallel the connecting railway with a boulevard 144 feet wide, taking away a portion of the plot under appeal. This connecting

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boulevard may be constructed very soon in the event that it can be included in the general approach system of the Triborough Bridge or it may be years before it can be constructed.

There were filed in connection with this application no consents and no objections. The building to be erected is of attractive architectural appearance and to be so located that the balance of the block front will be entirely separated from the gasoline service station, so that on the balance a conforming use can be constructed. It is also proposed to arrange the gasoline station in such a way that no structures will be erected on that part of the property to be acquired for the connecting boulevard.

The section is sparsely developed and the committee of the board that inspected it on March 1, 1934, are of the opinion that hardship has been proven and recommend that the application be granted with such conditions as the board deems necessary to impose.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report contained the opinion that the applicant is entitled to relief under section 21 of the building zone resolution; and the board deemed that applicant had substantiated his basis of application under section 21.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the accessory building shall be erected toward the easterly lot line where indicated and that there shall be constructed northerly along the interior lot line a wall of face brick similar to that used for the accessory building not less than 8 ft. in height; that this wall may, however, be constructed 4 ft. in height at the street line of Astoria avenue and graduated at the rate of one foot in four to the 8 ft. height; that the entire plot shall be leveled substantially to the grade of Astoria avenue; that where not covered by accessory buildings, this plot shall be cement-paved or covered with cracked bluestone; that the accessory buildings shall be in accordance with the design and arrangement indicated on plans filed with this application, constructed of Colonial brick and with a roof surfaced with heavy slate; that this building shall not exceed one story in height and shall be constructed of incombustible materials, except that the roof beams, roof boarding, windows and doors may be of wood provided that the ceilings throughout are fire-retarded in accordance with the rules of the board of standards and appeals; that there shall be no open excavation under these buildings except the pits for the greasing racks; that there shall be no open flame permitted on the property; that the gasoline pumps shall be not nearer than 10 ft. to either street building line and not nearer than 10 ft. to any portion of an accessory building; that there shall be erected on the exterior lot lines a concrete curb not less than 12 in. in width and 12 in. in height with not over two openings therein to Astoria avenue and not over two opening to 44th street, each opening not to exceed 25 ft. in width; that no part of these openings shall be nearer than 10 ft. to the corner formed by the intersection of Astoria avenue and 44th street nor 5 ft. from the interior lot line to the east; that opposite these openings cuts in the curb shall not exceed 30 ft. each; that signs advertising nonconforming uses shall be restricted to the illuminated globes of the gasoline pumps; that no portable gasoline tanks shall be used on or from the premises; that no automobile repairing shall be carried on in the premises or no parking or storage of cars other than those being serviced; that plans shall be submitted to the board and approved by the chairman in behalf of the board before filing with the commissioner of buildings; that all

permits shall be obtained within six months and all work completed within one year from the date of this action.

323-33-BZ.

APPLICANT—G. A. Schoenwald, for Elgeo Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to Calendar January 30, 1934.)

PREMISES AFFECTED—Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx.

APPEARANCES—

For Applicant: G. A. Schonewald.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(323-33-BZ)

WHEREAS, George A. Schonewald, for Elgeo Realty Corp., owner, filed, October 14, 1933; dismissed for lack of prosecution January 16, 1934; restored to Calendar January 30, 1934; an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Southeast corner of Morrison avenue and Sound View avenue (Block No. 3745, Lot No. 18), The Bronx; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 13, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Morrison avenue is in a residence and business district, Sound View avenue is in a business and unrestricted district, Westchester avenue is in a business district, Harrod avenue is in a business and unrestricted district, and

WHEREAS, the decision of the Commissioner of Buildings, rendered October 13, 1933, re: Applic. N.B. 185—1933, reads:

"1. Erection of building and occupancy of premises in business district for use as gasoline service station is contrary to provisions of Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 135 ft. 4 in. on Sound View avenue and 155 ft. 10 in. on Morrison avenue—upon which it is proposed to erect a one-story office 10 ft. by 20 ft., grease racks and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal was inspected by a Committee of the Board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION
Cal. No. 323-33-BZ.

Premises Southeast corner Morrison avenue and Sound View avenue (Block 3745, Lot 18), The Bronx.

This application is for a zoning variance to permit a gasoline selling station at the intersection of Morrison and Sound View avenues near Westchester avenue in a business district. The plot has a frontage of 128 feet approximately on Sound View avenue and it is proposed to limit the openings to the station to

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that avenue and to construct a wall along Morrison avenue so that the five-story apartment houses will be protected. The tenants through the representative of the receiver expressed objection as to danger to children which the applicant proposes to obviate by shutting off the station entirely from Morrison avenue and, in order to make the station as unobjectionable as possible, to provide grass areas with seats along Morrison avenue by setting in the wall and also to provide a space of considerable area at the south and opposite the residence zone which he proposes to keep landscaped and surrounded by fences and curbs to prevent automobiles from parking on it.

On the opposite side of Sound View avenue, the section is zoned for business and also for unrestricted use. From borings made it is clearly indicated and it is also a matter of common knowledge that this particular block, including the site under appeal, has very bad sub-surface conditions with fill, bog and fine sand. Buildings nearby show by their settlement that this condition exists to the extent that no structure of any height could be safely constructed without undue cost for foundations. This condition of hardship together with the proposal to construct a station which can be properly considered an improvement to the section leads the Committee which inspected the site on March 8, 1934, to recommend that the application be granted subject to plans to be approved and with such conditions imposed as will insure an attractive and unobjectionable station, requiring the walls, buildings and gasoline pumps to be faced with stone and landscaping maintained where indicated.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,

Committee of Inspection.

and

WHEREAS, the report contained the opinion that the applicant is entitled to relief under Section 21 of the building zone resolution; and the board deemed that applicant had substantiated his application under said section.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the entire site shall be leveled substantially to the grade of Sound View avenue and Morrison avenue; that the accessory buildings shall be located toward the westerly side of the plot as indicated on revised plan marked "Received March 7, 1934"; that these accessory buildings and the walls, as indicated on that plan shall be constructed of "mile square stone" suitably coped and of the heights indicated thereon; that this wall shall be carried continuously from the southerly line of the property northerly and returned to Sound View avenue, as indicated; that the accessory buildings shall not exceed one story in height and shall be constructed of incombustible materials except the roof boarding, roof beams, windows and doors may be of wood, on condition that the ceilings throughout are fire-retarded in accordance with the rules of the board of standards and appeals and that the roofs shall be covered with heavy slate; that the front portion of the building used for greasing shall remain open; that there shall be no open excavation under this building except the pits for the greasing racks; that the portion of the plot to the south of the dimensions indicated on plan marked "Received March 7, 1934" shall be set apart and kept landscaped in an attractive manner at all times; that there shall be erected a curb not less than 12 inches in height and 12 inches in width between this landscaped portion and the balance of the plot; that there shall be erected on the southerly lot line and returned along the lot line of the property to Sound View avenue a substantial fence constructed of stone posts and with pipe or half-timber rails; that the area along Morrison avenue and near the

intersection of Morrison and Sound View avenues shall have cemented areas for the public with benches and landscaping as indicated; that the balance of the plot where not covered by accessory buildings and landscaping shall be cement-paved or covered with cracked bluestone; that there shall be erected along the Sound View avenue street building line a concrete curb not less than 12 inches in height and 12 inches in width with not over two openings therein not over 25 feet in width each; that opposite these openings the curb cuts shall not exceed 30 feet in width each; that there shall be no other openings for automobiles to this gasoline station other than the two permitted herein to Sound View avenue; that there shall be no portable gasoline pumps used on or from the property; that the gasoline pumps shall be faced with stone and erected where indicated, not nearer than 10 feet to any street line or to any portion of an accessory building; that signs advertising non-conforming uses shall be limited to the illuminated globes of these gasoline pumps; that there shall be no motor vehicle repairing done on these premises and no storage or parking of cars other than those being serviced; that no open flame shall be permitted on the property; that complete plans shall be submitted to the Board and approved by the chairman in behalf of the Board before plans are filed with the Department of Buildings; that all permits required shall be obtained within three months and all work completed within nine months from the date of this action.

20-28-BZ.

APPLICANT—Philip Freshman, for Markus Siegelman, owner.

SUBJECT—Application (re decisions of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the change of occupancy of an existing building to business use (store).

PREMISES AFFECTED—99-105 Prospect Park Southwest, northwest corner 16th street (Block No. 5259, Lot No. 22), Brooklyn.

APPEARANCES—

For Applicant: Markus Siegelman.

For Opposition: Flora Horwitz.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners	
Peppe, Savage and Blum and Assistant	
Chief Kidney	5
Absent	0

THE RESOLUTION—

(20-28-BZ)

WHEREAS, Philip Freshman, for Markus Siegelman, owner, filed, January 10, 1928; denied September 25, 1928; reopened November 21, 1933; an application under the building zone application to permit in a residence district the change of occupancy of an existing building to business use (store); premises: 99-105 Prospect Park Southwest, northwest corner of 16th street (Block No. 5259, Lot No. 22), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 13, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Prospect Park Southwest is in a residence district, 16th street is in a residence and business district, 11th avenue is in a business and residence district; and

WHEREAS, decisions of commissioner of buildings, dated July 13, 1933 and November 3, 1933:

"July 13, 1933.

"This is to advise you that I have this day revoked alteration permit No. 4778/33 for the reason that the matter of enlarging the business area of the above

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described premises had been taken before the Board of Standards and Appeals and denied, Calendar No. 20-28-BZ, September 25, 1928.

"Very truly yours,
"T. P. Flanagan,
"Commissioner of Buildings,
"Borough of Brooklyn."

and decision dated November 3, 1933, reading:

"November 3, 1933.

"Replying to yours of the 1st inst., you are advised that permit No. 4778/33 issued from premises 99-101 Prospect Park Southwest cannot be revived. Your remedy may be in an appeal to the Board of Standards and Appeals.

"Very truly yours,
"T. P. Flanagan,
"Commissioner of Buildings,
"Borough of Brooklyn."

WHEREAS, the premises consist of a plot of ground having a frontage of 124 ft. 11 in. on Prospect Park West and 85 ft. 6 in. on 16th street, on the easterly portion of the plot there is located a two-story structure approximately 56 ft. by 46 ft., irregular in area and occupied on the 1st story as a store; adjoining this building to the west and fronting on 16th street is a one-story structure, it is proposed to occupy the easterly section of this one-story structure (12 ft. by 22 ft. in area) as a store; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made, and report of same read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 20-28-BZ.

Premises: 99-105 Prospect Park Southwest, northwest corner 16th street (Block No. 5259, Lot No. 22), Brooklyn.

The applicant desires to add to a nonconforming two-story store and residence building which was erected prior to the adoption of the zoning resolution, a garage building 12 ft. by 22 ft. to be altered into a store. This garage is one of three presumably permitted by the superintendent of buildings on a plot in a residence district under the provision of the zoning resolution permitting private garages for use in connection with a residential building.

The plot on which these three single-car garages are adjoins the plot on which the two-story nonconforming building exists and which is at the junction of Prospect Park Southwest and 16th street. The plot on which the three private garages are erected runs through from Prospect Park Southwest to 16th street and was the subject of an appeal before this board under the same calendar number in September, 1928, to permit the erection of stores on both frontages. After the board denied that petition, the three garages were erected on the 16th street frontage and it is now desired to alter one of them to a store and connect it to the store in the adjoining two-story building.

It appears that the superintendent of buildings actually granted this applicant a permit for this zoning variance but later revoked the permit after it was called to his attention either that he had exceeded his power or that it was contrary to the resolution of the board denying business use. Meanwhile, however, the work of taking out the garage doors and substituting show windows had been substantially completed.

The committee which inspected these premises and the adjoining area wishes to call attention to the use to which not only the garages owned by this applicant but adjoining single-car garages owned by others are being put, as it is questionable whether these are being used by residents of residential buildings on the same plots or under the same ownership and whether they are not being rented to car owners not residing on the premises, which would be contrary to the zoning provision.

While the committee recognizes that this applicant proceeded under what he may have considered a legal permit, the committee believes that this does not or should not in any way obligate the board to grant the requested zoning variance and thereby legalize the use of this garage for business use. The owner is enjoying an existing nonconforming use as a business building in a residence district and has therefore what no one else nearby possesses. He now desires to encroach still further on the residential area to obtain additional income therefrom.

The committee which inspected the premises on March 8, 1934, cannot find any unnecessary hardship shown or proven and is of the opinion that the proposed extension of the business use is not justified and that the numerous objectors are correct in opposing the application. If, as claimed by the applicant their houses and garages are being illegally used, he should make his claim in that respect to the proper administrative officials.

The committee recommends denial.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,

Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate the basis of his application under section 21.

Resolved, that the decisions of commissioner of buildings be and they hereby are affirmed, and that the application be and it hereby is denied.

362-33-BZ.

APPLICANT—John E. Sexton, for Rose Held, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—195 Graham avenue and 149-155 Scholes street, northwest corner (Block No. 3034, Lot No. 27), Brooklyn.

APPEARANCES—

For Applicant: Peter C. Eschmann.

For Opposition—None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Peppc, Savage and Blum and Assistant
Chief Kidney 5

Absent 0

THE RESOLUTION—

(362-33-BZ)

WHEREAS, John E. Sexton, for Rose Held, owner, filed, November 27, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises 195 Graham avenue and 149-155 Scholes street, Northwest corner (Block No. 3034, Lot No. 27), Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 13, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Graham avenue is in a business district, Scholes street is in a business district and Stagg street is in a business district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered November 27, 1933, re: Applic. No. 10350—1933, reads:

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"Proposed gasoline service station to be located in a business use district is contrary to Art. II, Section 4-a of Zone Resolution."

and WHEREAS, the premises consist of a plot of ground having a frontage of 25 ft. on Graham avenue and 75 feet on Scholes street, upon which it is proposed to erect a one-story office 12 ft. by 10 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station. It is proposed to demolish the three-story brick store and dwelling structure now on the premises; and

WHEREAS, this application was the subject of an inspection by a Committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No. 362-33-BZ.

Premises: 195 Graham avenue, 149-155 Scholes street Northwest corner (Block 3034, Lot 27), Brooklyn.

The site under appeal is at the Northwest corner of Graham avenue and Scholes street in a business district. Graham avenue and Manhattan avenue to the west are business thoroughfares with dwellings between on the side streets.

On the plot under appeal which has a frontage of 25 feet on Graham avenue and 75 feet on Scholes street, there are two buildings, one a three-story brick structure with two apartments and two stores, the other a three-story building with three apartments. Between these two buildings is a one-story building or extension apparently used for a private garage. These buildings are old but are apparently tenanted except for the two stores on Graham avenue. Stores generally on Graham avenue seem to be well tenanted and inquiries made by the Committee of Inspection when inspecting the premises and the surrounding section on March 8, 1934, would indicate that these stores could be rented if put in repair and that the store rents and apartment rentals would be sufficient to at least carry the property.

The owner is apparently desirous of restoring the earning power of the property and asks to be permitted to demolish these buildings and install a gasoline station. To this there is great objection from the property owners, there having been filed twenty-five objections and no consents. The adjoining owner, who is now renovating his building which surrounds the premises under appeal, is opposed.

In the opinion of the Committee sufficient hardship has not been shown to justify the granting of the variance sought. It is probable that the gasoline station would be more remunerative but, as the courts have repeatedly stated, the Board has no right to say that because a non-conforming use would give a larger return, the owner is suffering hardship. Further, the Committee is not in favor of permitting a plot of this small area to be used for a gasoline station, particularly in such a developed section, inasmuch as the sidewalks would be continuously used to the exclusion of and peril to the public for whose safety they are primarily provided.

The Committee recommends denial.

(Signed) H. H. MURDOCK, Chairman.

VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had not substantiated the basis of his application under section 21.

Resolved, that the decision of the Commissioner of Buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

381-33-BZ.

APPLICANT—Charles M. Lobejager, for George Robbin, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North side of Roosevelt avenue, 466 ft. west of 103d street (Block No. 1770, Lot Nos. 60, 62, 64 and 65), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Lobejager.

For Opposition: James Manniello.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(381-33-BZ)

WHEREAS, Charles M. Lobejager, for George Robbin, owner, filed, December 22, 1933, an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: North side of Roosevelt avenue, 466 ft. west of 103d street (Block No. 1770, Lot Nos. 60, 62, 64 and 65), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 13, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Roosevelt avenue is in a business district, 39th avenue is in a business district, Spruce street is in a business district and 102d street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 14, 1933, re N.B. 2577-1933, reads:

"1. The erection of a gasoline service station in a business district is contrary to Article 2, Section 4, Subsection 46 of the Zone Law. (Not further considered.)"

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 131.5 ft. on Roosevelt avenue and a distance of 30 ft. 9 in. along the east lot line upon which it is proposed to erect an irregular shaped office 16 ft. by 19 ft. in area and also, to install the necessary tanks and pumps for a gasoline service station. It is proposed to remove the one-story frame store building now on the site; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing, and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 381-33-BZ.

Premises: North side of Roosevelt avenue, 466 ft. west of 103d street (Block No. 1770, Lot Nos. 60, 62, 64 and 65), Corona, Borough of Queens.

The premises under appeal are located on the northerly side of Roosevelt avenue nearly opposite 102d street in a block which is zoned for business. At the point where these premises are located the distance through to the next avenue north—namely 39th avenue, varies from about 100 ft. to 130 ft. The lots to the north and to the rear of the premises are 100 ft. in depth and vacant. This property under appeal is a long triangular shaped plot with a frontage along Roosevelt avenue of 131.5 ft. with its greatest depth

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at the easterly side of 30 ft. 9 in. and running to a point at the west. On part of this plot there is a one-story store building of frame construction, now vacant.

It is proposed to remove the building and turn the premises into a gasoline selling station.

There are twenty objections and twenty consents filed but those properties which are immediately adjoining and which would be most seriously affected are recorded in objection.

101st street is laid out on the city maps to be cut through at some time and the bulk of these premises under appeal are within the bed of this proposed street.

While these stores are now vacant, it is claimed by objectors that these stores have been rented and could be if heat and other facilities were provided.

The committee of the board which inspected this site and the adjoining section on March 1, 1934, and on March 8, 1934, can find no substantiation of the applicant's claim to hardship. The plot is too shallow for a proper gasoline station and the public sidewalk would of necessity become a part of the station to the great danger of pedestrians. The danger would be further increased because of the columns of the elevated subway that traverses Roosevelt avenue.

Aside from these considerations, the committee is also of the opinion that the adjoining properties would be depreciated by permitting this proposed gasoline station and that hardship would be inflicted on them because of it.

The applicant now has a conforming use which has been tenanted and, while vacant now, can undoubtedly be used even though temporarily the rent obtainable may be inadequate.

The committee recommends denial.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate his basis of application under section 21.

Resolved, that the decision of commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

335-33-BZ.

APPLICANT—Wood and Marshall, for Marshall Contracting Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5563-5573 Kings Highway, Southeast corner of Beverly road (Block No. 4766, Lot Nos. 8 and 9), Brooklyn.

APPEARANCES—

For Applicant: Clifford B. Marshall.

For Opposition: Charles Rothhaus, John Bergen, E. C. Jenkins and Hermann Kroner.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(335-33-BZ)

WHEREAS, Wood & Marshall, for Marshall Contracting Co., Inc., owner, filed October 30, 1933, an application under the building zone application to permit in a resi-

dence district the erection and maintenance of a gasoline service station; premises: 5563-5573 Kings Highway, southeast corner of Beverly road (Block No. 4766, Lots Nos. 8 and 9), Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 13, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Beverly road is in a residence district, Kings Highway is in a residence district, East 56th street is in a residence district and Clarendon road is in a residence and business district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered October 20, 1933, re: Applic. No. 12488—33 reads:

“Proposed gasoline service station to be located in a residential district is contrary to Art. II, Section 3 of Zone Resolution.”

and

WHEREAS, the premises consist of a plot of ground having a frontage of 102 ft. on Kings Highway, 57 ft. on Beverly road and 100 ft. on East 56th street, upon which it is proposed to erect a one-story structure 72 ft. by 22 ft. to be used for auto laundry, office and grease pits and, also to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a Committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No.335-33-BZ.

Premises: 5563-5573 Kings Highway, Southeast corner Beverly road (Block 4766, Lots Nos. 8 and 9), Brooklyn.

The variance sought in this case is to permit a gasoline service station in a residence district on a plot with a frontage of approximately 57 feet on Beverly road, 102 feet on Kings Highway and 100 feet on East 56th street. The premises are now vacant. The entire section is zoned for residence use except for a portion along Clarendon road to the South about five hundred feet away.

There are no non-conforming uses nearby and no business of any kind at this intersection. On the other hand, there are many residences in the area and the section can be correctly described as a residential section and in the opinion of the Committee which inspected the area on March 8, 1934, it should remain as such without the non-conforming use requested.

There has been no unnecessary hardship nor practical difficulties shown or proven. In common with other owners whose properties are lying idle, the carrying costs are undoubtedly oppressive but the Committee cannot recognize this condition as a justification for recommending this variance, in view of the depreciating effect that this proposed non-conforming use would have on adjacent properties, some owners of which might consider themselves fully entitled to a similar variation if this were granted.

The Committee recommends denial.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate his basis of application under section 21.

Resolved, that the decision of the Commissioner of Buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

MINUTES

380-30-BZ.

APPLICANT—Samuel Weisstein, for Paulritz Service Stations, Inc., Lessees; substituted for Joseph B. Lyneh for Watben Realty Co., Inc., owner.

SUBJECT—Application for reopening—amendment—re application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district extending from an unrestricted district, the erection and maintenance of a gasoline service station. (Granted October 28, 1930.)

PREMISES AFFECTED—Southeast corner of Webster avenue and East 168th street (Block No. 2394, Lot No. 17), The Bronx.

APPEARANCES—

For Applicant: Samuel Weisstein.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(380-30-BZ)

WHEREAS, this application affecting premises southeast corner of Webster avenue and East 168th street (Block No. 2394, Lot No. 17), The Bronx, was granted by the board October 28, 1930, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on October 28, 1930, be amended, so that as amended the resolution will read:

Granted under section 21, to permit the premises under appeal, located within the area zoned for business to be used as a gasoline service station, on condition that the entire plot shall be leveled substantially to the grade of Webster avenue and East 168th street; that the accessory buildings consisting of an office and a covered portion for grease pits shall be erected toward the center of the plot as indicated on revised plans marked "Received March 13, 1934"; that these accessory buildings shall not exceed one story in height and shall be constructed of incombustible materials except that the roof beams, roof boarding, doors and windows may be of wood, that the roofs shall be surfaced with incombustible materials; that the ceilings throughout shall be fire-retarded in accordance with the rules of the board of standards and appeals; that the balance of the plot where not covered by accessory buildings shall be cement-paved; that the gasoline pumps shall be not nearer than 10 ft. to either street building line; that there shall be not over two entrances to the premises from East 168th street and not over two from Webster avenue; that the curb cuts from these entrances shall not exceed 12 ft. in width; that there shall be no motor vehicle repairing carried on in the property and no portable gasoline pumps used on or from the property; and that there shall be at no time on the property in addition to the cars being serviced a total of more than 20 cars parked; that signs advertising nonconforming uses shall be limited to the globes of the gasoline pumps and to flat signs permanently attached to the front of the accessory building; that if windows in the adjoining multiple dwelling are along the lot line within a height of 10 ft. or within a distance of 5 ft. therefrom, there shall be constructed along the interior lot line from East 168th street southerly, a brick wall not less than 8 in. in thickness and not less than 8 ft. in height; that all permits required shall be obtained within three months and all

work completed within six months from the date of this amended resolution.

294-27-BZ.

APPLICANT—Request for reopening made by Mokel Realty Corp., present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—951-959 Lenox road, north side of Lenox road, from East 57th street to Remsen avenue (Block No. 4644, Lot No. 1), Brooklyn.

APPEARANCES—

For Applicant: Harry Kronenberg, Irving Berson.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(294-27-BZ)

WHEREAS, this application affecting premises 951-959 Lenox road (Block No. 4644, Lot No. 1), Borough of Brooklyn, was granted by the board December 28, 1927, on certain conditions, amended by approval of plans July 24, 1928, and owner requests a further amendment of the resolution.

Resolved, that the resolution adopted by the board on October 28, 1927, as amended by action of the board July 24, 1928, approving plans be amended, so far as it refers to concrete curbing to be constructed along the building line and entrance to the premises so that as amended that portion of the resolution will read:

"That concrete curbing not less than 12 in. in height and 12 in. in width shall be constructed along the street building line on the three sides of this plot with not over two entrances from Remsen avenue and one entrance from Lenox road; that these entrances shall not exceed 25 ft. in width and that no part of any entrance shall be nearer than 5 ft. to the corner formed by the intersection of Lenox road and Remsen avenue and the corner formed by the intersection of East 57th street and Remsen avenue and that opposite these entrances curb cuts shall not exceed 30 ft.; that other than as amended herein the resolution adopted on October 28, 1927, as amended by approval of plans July 24, 1928, shall be complied with in all respects."

596-32-BZ.

APPLICANT—Larry Meltzer, for Vincent Esposito, owner; request for reopening made by Harry Chaitovitz, attorney for owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—619 East Fordham road, northwest corner of Hughes avenue (Block No. 3273, Lot No. 252), The Bronx.

MINUTES

APPEARANCES—

For Applicant: Larry Meltzer, Harry Chaitovitz,
Inspector Francis Mulhall for Commissioner
of Buildings.

For Opposition: Mr. Genoa.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant
Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant
Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(596-32-BZ)

WHEREAS, this application affecting premises 619 East
Fordham road northwest corner of Hughes avenue
(Block 3273, Lot No. 252), Borough of The Bronx, was
granted by the board November 8, 1933, on certain conditions
and applicant requested an extension of time.

Resolved, that the resolution adopted November 8, 1933,
only so far as it concerns the time within which the work
shall be entirely completed, be amended so that as amended
the last clause of the resolution will read:

"That all permits shall be obtained within 30 days
and that all work required under this resolution of
the Board adopted November 8, 1933, shall be completed
prior to March 8, 1934; that other than as amended
herein the resolution shall be complied with
in all respects."

PETITION FOR VARIATION.

336-33-S.

PETITIONER—Victor Mayper, for Fulton Investing
Corporation, owner.

SUBJECT—Application for reopening—restoration to Cal-
endar—re Petition for variation of the labor law
as cited in orders and decision of the Commis-
sioner of Buildings (previously withdrawn).

PREMISES AFFECTED—435-445 Fulton street and 408
to 420 Jay street (Block No. 150, Lot No. 1),
Brooklyn.

APPEARANCES—

For Petitioner: Victor Mayper.

ACTION OF BOARD—Petition reopened and set for
hearing, March 27, 1934, at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commis-
sioners Peppe, Savage and Blum and Assistant
Chief Kidney 5
Negative 0
Absent 0

APPLIANCES SUBMITTED FOR APPROVAL.

16-34-SA.

PETITIONER—Warner Oil Burner Corp., owner.
SUBJECT—Warner Oil Burner, Model A, approval of.
APPEARANCES—

For Petitioner: Daniel Gatman.

ACTION OF BOARD—Petition placed on Reserve Cal-
endar, pending test and report by Engineer of
Board, and Bureau of Combustibles, Fire Depart-
ment.

23-34-SA.

PETITIONER—Harry T. Clark, for Webster Electric
Company, owner.

SUBJECT—Webster Fuel Oil Pump, Type A, approval of.
APPEARANCES—

For Petitioner—None.

ACTION OF BOARD—Petition placed on Reserve Cal-
endar, pending test and report by Engineer of
Board and Bureau of Combustibles, Fire Depart-
ment.

32-34-SA.

PETITIONER—Sydney Fingerman, for Quality Oil
Burner Co., owner.

SUBJECT—Super Oil Burner for Pressing Machine, ap-
proval of.

APPEARANCES—

For Petitioner—Edward Rosiny.

ACTION OF BOARD—Petition placed on Reserve Cal-
endar, pending revision of the Fuel Oil Rules.

33-34-SA.

PETITIONER—Tridex Machine Corporation, owner.

SUBJECT—Tridex Cleaning Machine, approval of.

APPEARANCES—

For Petitioner: Edward A. Arnold.

ACTION OF BOARD—Petition placed on Reserve Cal-
endar, pending test and report by Engineer of
Board and Bureau of Combustibles, Fire Depart-
ment.

34-34-SA.

PETITIONER—Standard Products Co., owner.

SUBJECT—Standardyne Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Cal-
endar, pending test and report by Engineer of
Board and Bureau of Combustibles, Fire Depart-
ment.

36-34-SA.

PETITIONER—Utility Appliance Co., owner.

SUBJECT—Utility Oil Burner, Model A, approval of.

APPEARANCES—

For petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Cal-
endar, pending test and report by Engineer of
Board and Bureau of Combustibles, Fire Depart-
ment.

38-34-SA.

PETITIONER—Harry C. Weiskittle Co., Inc., owner;
John R. Parr, agent.

SUBJECT—Real Host Oil Burner, approval of.

APPEARANCES—

For Petitioner: John R. Parr.

ACTION OF BOARD—Petition placed on reserve cal-
endar, pending test and report by Engineer of
Board and Bureau of Combustibles, Fire Depart-
ment.

41-34-SA.

PETITIONER—David Kaufman, for Forsdraft Burner
Co., Inc., owner.

SUBJECT—Forsdraft Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calen-
dar, pending revision of the Fuel Oil Rules.

46-34-SA.

PETITIONER—William G. Shrive, Jr., for May Oil
Burner Corporation, owner.

SUBJECT—May Oil Burner, Type BB, approval of.

APPEARANCES—

For Petitioner: None.

MINUTES

ACTION OF BOARD—Petition placed on reserve calendar, pending test and report by engineer of board of bureau of combustibles, fire department.

53-34-SA.
PETITIONER—Felix Braun, for Nemes & Gluck, owners.

SUBJECT—Automatic Airless Oil Burner, Model No. 1, approval of.

APPEARANCES—

For Petitioner: Felix Braun.

ACTION OF BOARD—Petition placed on reserve calendar, pending revision of the Fuel Oil Rules.

55-34-SA.

PETITIONER—Atlas Metal Products Corporation, owner.

SUBJECT—Atlas Pressure Tank for Paint Spraying, approval of.

APPEARANCES—

For Petitioner: Irving Kestlin.

For Administration: Inspector Maher.

ACTION OF BOARD—Laid over to March 27, 1934, at 2 p. m., for petitioner to confer with Inspector Maher.

814-27-SA.

PETITIONER—Elkhart Brass Mfg. Co., owner.

SUBJECT—Elkhart Flush Type Siamese—approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn by written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

39-33-SA.

PETITIONER—Cutler-Hammer, Inc., owner.

SUBJECT—Cutler-Hammer, Inc., Enclosed High and Low Water Float Switch for Standpipe Alarm Systems (Bulletin No. 10041), approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn by written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

162-33-SA.

PETITIONER—Ansonia Fire Prevention Engineering Co., Inc., for Elkhart Brass Mfg. Company, owner.

SUBJECT—Interpretation of Rule 93a of Standpipe Fireline Rules—re Approval of Elkhart Combination Pressure Reducer and Hose Valve.

APPEARANCES—

For Petitioner: Herman E. Horwood.

ACTION OF BOARD—Rule interpreted.

THE VOTE TO INTERPRET RULE—

Affirmative: Chairman Murdock, Commissioners

Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(162-33-SA)

WHEREAS, the question has been raised by the testing committee of the fire department as to whether the valve submitted in this case comes within the purview of the specifications of Rule 93-A of the Standpipe Fireline Rules.

Resolved, that it was the intent of these rules to permit adjustment of pressure either by an additional unit attached to the valve or by a mechanical adjustment of the valve itself and also to permit the operation of the opening and closing of the valve by use of a gooseneck spanner wrench or by manual operation and to permit a bar or cleat cast integral with the wheel of the valve to facilitate the use of the spanner wrench.

Adjourned, 4:45 p. m.

EDWARD V. BARTON, Chief Clerk.

APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady.....	231-30-SA
Elkhart	15-31-SA

BUILDING CODE ON SALE

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Auto-Heat Oil Burner.....	284-33-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Automatic Oil Burner.....	1363-23-SA	National Airoil High Pressure Burner.....	185-29-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	National Airoil Low Pressure Burner.....	186-29-SA
Ballard Jr. Oil Burner.....	1176-27-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Best Calorex Burner.....	1464-21-SA	North American Low Pressure Oil Burner...	792-26-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Oilbilt Burner.....	85-33-SA
Burnwell Mechanical Burner.....	957-22-SA	Oronoque Oil Burner.....	394-30-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Model W Oil Burner.....	452-31-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
D'Elia Oil Burner.....	155-31-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
DeWalt Oil Burner.....	541-31-SA	Preferred Oil Burner.....	372-33-SA
Doe Oil Burner.....	317-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Enco Mechanical Oil Burner.....	509-30-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Frankfort Type P Oil Burner.....	1046-23-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Gem Fuel Oil Burner.....	111-26-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Ghapco Steam Generator.....	348-31-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Steam Oil Burner.....	183-22-SA
Grant Oil Burner, Model "C".....	232-32-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sun Heat Oil Burner.....	603-29-SA
Hammond Oil Burner.....	72-31-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Harris Fuel Oil Burner.....	690-30-SA	Sunway Oil Burner.....	624-30-SA
Hart Oil Burner, Model "H".....	221-33-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hayward Oil Burner.....	696-30-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hobeco Oil Burner.....	1278-21-SA	Timken Rotary Oil Burner.....	297-29-SA
Holby Oil Burner.....	328-27-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Todd Spiro Oil Burner.....	470-31-SA
Kreager Oil Burner.....	367-30-SA	Todd Spiro Burner (pump type).....	94-32-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Todd Steam Atomizing Fuel Oil Burner.....	123-23-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Liberty Automatic Heater.....	129-28-SA	Vaporoil Burner	44-32-SA
Lientz Oil Burner.....	155-20-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Lonergan Automatic Oil Burner.....	208-33-SA	Wizard Automatic Oil Burner.....	181-33-SA
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		
Maxon Oil Burner (New Style).....	1036-22-SA		
May Oil Burner.....	68-24-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

737-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue, Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

534-31-SA—Page Fuel Burner.

209-32-SA—Crocker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner.

400-32-SA—Superfex Oil Burner for Warm-Air Furnaces.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

62-33-SA—Florence Oil Heater, Model KC-8.

82-33-SA—Inferno Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner).

195-33-SA—Bullet Automatic Oil Burners, Models A and B.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

222-33-SA—Dowie Combination Anti-Syphon Valve.

231-33-SA—Signal Engineering & Manufacturing Co. Interior Fire Alarm Box.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

346-33-SA—Goodspeed Oil Burner Nozzle Type II.

349-33-SA—Herco Oil Burner.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1.

1-34-SA—Hager Silent Check Valve.

10-34-SA—Hupp Oil Burner.

16-34-SA—Warner Oil Burner, Model A.

23-34-SA—Webster Fuel Oil Pump, Type A.

32-34-SA—Super Oil Burner for Pressing Machine.

33-34-SA—Tridex Cleaning Machine.

34-34-SA—Standardyne Oil Burner.

36-34-SA—Utility Oil Burner, Model A.

38-34-SA—Real Host Oil Burner.

41-34-SA—Forsdraft Burner.

46-34-SA—May Oil Burner, Type BB.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

USE OF HYDRATED LIME IN CONCRETE

Adopted by the Board of Standards and Appeals, April 19, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

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Total.....	217

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHARLES M. BLUM

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EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, March 20, 1934, at 2 P. M.

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Approved Fireline Hose Valves.

Reserve Calendar.

Progress Report.

PUBLIC HEARINGS

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Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, March 26, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, April 2, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to March 21, 1934.

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75-34-SA.....	F.D.....	Liberty Pressure Oil Burner, Appliance.
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73-34-BZ.....	D.B.B.....	1140-1158 McDonald (Gravesend) Ave. and 4913-4935 20th Ave. (Block 5464, Lot 15), Brooklyn. Applic. 1967-34.
72-34-S.....	D.B.M.....	501-509 7th Ave. and 137-153 37th St., N. E. Corner (Block 813, Lot 1), Manhattan. 59-LF.
71-34-A.....	D.B.M.....	12 East 57th St. (Block 1292, Lot 63), Manhattan. 9598-F.

Restored to Calendar.

130-25-BZ.....	D.B.B.....	2447 Coney Island Ave. (Block 7343, Lot 61), Brooklyn. Applic. 1298-34
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
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D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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Concrete Rules (Hydrated Lime).....	Jan. 9, 1934—Vol. 19 No. 2
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Hatchway Protection.....	June 5, 1928—Vol. 13 No. 23
Paint, Varnish and Lacquer Spray- ing Rules.....	June 13, 1933—Vol. 18 No. 24
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Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

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Fuel Oil Burners for Domestic and Commercial Use.....	Mar. 6, 1934—Vol. 19 No. 10
Fuel Oil Burners for Industrial Use.....	Mar. 20, 1934—Vol. 19 No. 12
Fuel Oil Pumps.....	Mar. 27, 1934—Vol. 19 No. 13

CALL OF CLERK'S CALENDAR

MONDAY, MARCH 26, 1934, AT 2 P. M.

Building Zone Cases.

1213-24-BZ. APPLICANT—Chas. Schaefer, Jr., for T. & R. Construc- tion Co., owner. PREMISES—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a residence district the erection and main- tenance of a gasoline service station (previously denied for a garage; reopened October 3, 1933).
42-34-BZ. APPLICANT—Jack Jacobson, for Emdee Management, Inc., owner. PREMISES—389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Brooklyn. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a business district the erection and main- tenance of a gasoline service station.
28-34-BZ. APPLICANT—John J. Dunnigan, for Nac Holding Corp., owner. PREMISES—2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a business district the erection and main- tenance of a gasoline service station.
396-30-BZ. APPLICANT—Benjamin Baser, for Isidor Schraub and Celia Silverman, owners. PREMISES—65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 21), Woodside, Borough of Queens. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a business district the erection and main- tenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar December 5, 1933).
383-33-BZ. APPLICANT—Aaron G. Alexander, for Matin Realty, Inc., owner. PREMISES—Northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos. 1, 8 and 11), The Bronx. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a business district the erection and main- tenance of a gasoline service station.
15-34-BZ. APPLICANT—Julius Auserehl, owner. PREMISES—Northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens. APPLICATION, under section 21 of the building zone resolution, TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

CALENDAR

34-BZ.

APPLICANT—Harry A. Yarish, for Allan A. Kurtz, owner.

PREMISES—507-511 Foster avenue, north side, 178' 6 $\frac{3}{4}$ " west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.

APPLICATION, under sections 7a, 7e and 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of stables for more than five (5) horses.

CAL. NO. 382-33-BZ—Application, December 26, 1933, under section 21 of the building zone resolution, of Andrew Yablonsky, applicant and owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop; premises southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

MARCH 27, 1934, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 27, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 97-30-BZ—Application, February 7, 1930, under section 21 of the building zone resolution, of Charles Tolleris, applicant, on behalf of 5612 18th Avenue Realty Corp., owner, to permit in a business district the installation of a gasoline service station (previously granted April 22, 1930, for a motor vehicle repair shop for minor repairs, which variation superseded the grant of February 3, 1925, under Cal. No. 1266-24-BZ, for a milk distributing station); premises 5612-5614 18th avenue (Block No. 5493, Lot No. 40), Brooklyn.

CAL. NO. 348-33-BZ—Application, November 17, 1933, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Bleitborn Building and Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Brooklyn.

CAL. NO. 364-33-BZ—Application, December 5, 1933, under section 21 of the building zone resolution, of Joseph S. Gershman, applicant, on behalf of Maphi Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises northeast corner of Hillside avenue and Chelsea road (187th street); (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 379-33-BZ—Application, December 18, 1933, under section 21 of the building zone resolution, of Andrew Havrylok, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

CAL. NO. 3-34-BZ—Application, January 10, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Estate of Jonas Weil, owner, to permit in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles which is located in an unrestricted district; premises 229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot Nos. 13, 49, 50 and 51), Manhattan.

CAL. NO. 8-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wardell Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1934, 2 P. M.

Appeals from Administrative Orders.

377-33-A—116-09 to 116-11 15th avenue (Block No. 107, Lot Nos. 41 and 26), College Point, Borough of Queens.

31-34-A—395-401 Fourth avenue and 100-112 East 28th street (Block No. 883, Lot No. 88), Manhattan.

40-34-A—61-65 West 23rd street (Block No. 825, Lot No. 9), Manhattan.

52-34-A—Northeast corner of Parsons boulevard and Elm street (Block No. 1181, Lot No. 1), Flushing, Borough of Queens.

Petition for Variation

336-33-S—435-445 Fulton street and 408-420 Jay street, northwest corner (Block No. 150, Lot No. 1), Brooklyn.

Appliance Submitted for Approval.

55-34-SA—Atlas Pressure Tank for Paint Spraying.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, March 27, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CALENDAR

CAL. NO. 457-30-BZ—Application, June 27, 1930; withdrawn October 21, 1930; reopened September 12, 1933, under section 21 of the building zone resolution, of Frank Caraccia, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Borough of Richmond.

business use (office building); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 2, 1934, AT 2 P. M.

Building Zone Cases.

CAL. NO. 356-33-BZ—Application, November 21, 1933, under sections 7c and 21 of the building zone resolution, of Jack Fein, applicant, on behalf of Enmor Realty Corporation, owner, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a business building (stores); premises 1919-1929 Avenue V and 2628-2632 Ocean avenue, northwest corner (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

CAL. NO. 354-33-BZ—Application, November 21, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Edlar Realty Corp., owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

CAL. NO. 357-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of DeRose and Cavalieri, applicants, on behalf of Ida M. Hewitt, owner, to permit in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station; premises 3349-3357 East Tremont avenue, east side, 75 ft. south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), The Bronx.

CAL. NO. 376-33-BZ—Application, December 13, 1933 under section 21 of the building zone resolution, of Clifford F. Hart, applicant, on behalf of Benjamin G. Hitchings Lumber Corp., owner, to permit partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop; premises 3202-3224 Avenue H, south side, from East 32nd street to New York avenue (Block No. 7578, Lot Nos. 53 and 57), Brooklyn.

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a

347-33-BZ.

APPLICANT—Aaron H. Schwartz, for Webames Realty Corporation, owner.

PREMISES—138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling.

1236-27-BZ.

APPLICANT—Archie H. Samuels, for Dorothy Rehder, owner.

PREMISES—Southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously granted on certain conditions and the time within which to obtain permits and complete work has expired; reopened January 9, 1934).

9-34-BZ.

APPLICANT—Robert Gottlieb, for Alna Holding Corporation, owner.

PREMISES—4756 Third avenue, northeast corner of East 189th street (Block No. 3033, Lot No. 53), The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing storage warehouse to a factory.

44-34-BZ.

APPLICANT—Robert Schnepfer, for Annuncio Ambrosia, owner.

PREMISES—137-02 to 137-10 Linden boulevard, southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

50-34-BZ.

APPLICANT—Adolph Goldberg, for North Shore Motor Sales Co., Inc., owner.

PREMISES—153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

APPLICATION, under sections 7a, 7c and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry.

CALENDAR

APRIL 3, 1934, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 3, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 53-30-BZ—Application, January 24, 1930; withdrawn April 29, 1930; reopened and restored to Calendar October 10, 1933, under section 21 of the building zone resolution, of Jacob Rudd, applicant, on behalf of Metropolitan Savings Bank, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 97-107 Kenmare street and 15 Cleveland place, northeast corner (Block No. 481, Lot No. 7), Manhattan.

CAL. NO. 512-31-BZ—Application, October 19, 1931; withdrawn January 19, 1932; reopened and restored to Calendar November 14, 1933, under section 21 of the building zone resolution, of George Tiernan, applicant, on behalf of Regina Boulevard Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

CAL. NO. 343-33-BZ—Application, November 14, 1933, under section 21 of the building zone resolution, of Milton Kaplan, applicant, on behalf of Milton Kaplan and Katie Baum, owners, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Brooklyn.

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

CAL. NO. 24-34-BZ—Application, January 29, 1934, under section 21 of the building zone resolution, of Goldie Harris, applicant and owner, to permit the extension from a business district into a residence district of a proposed theatre and store building; premises 3117-3127 Surf avenue, northeast corner of West 32nd street (Block No. 7049, Lot Nos. 51 and 58), Brooklyn.

CAL. NO. 148-33-BZ—Application, April 19, 1933; withdrawn October 10, 1933; reopened and restored to Calendar January 3, 1934, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Noviak Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Hollis avenue and Cross Island boulevard (Block No. 1882, Lot No. 106), Hollis, Borough of Queens.

CAL. NO. 546-32-BZ—Application, October 31, 1932, under section 21 of the building zone resolution; denied February 3, 1933; reopened January 9, 1934, under section 7f of the building zone resolution, of Archie H. Samuels, applicant, on behalf of 88th Holding Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 3, 1934, 2 P. M.

Appeals from Administrative Orders.

13-34-A—985 Eight avenue (Block No. 1048, Lot No. 33), Manhattan.

45-34-A—112-116 Bleecker street (Block No. 524, Lot Nos. 47 and 49), Manhattan.

Appliance Submitted for Approval.

48-34-SA—Kolrid Range Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 3, 1934*, at 2 o'clock, in Room 1013, Municipal Building on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 308-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Jacob E. Hurwitz, applicant, on behalf of Alice Fadool, owner, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use; premises 195 Prospect Park, West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

CAL. NO. 198-33-BZ—Application, May 29, 1933; withdrawn July 18, 1933; reopened and restored to Calendar January 3, 1934, under section 21 of the building zone resolution, of John J. Hegarty, applicant, on behalf of Port of New York Authority, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises West

CALENDAR

side of Haven avenue, 217'4½" north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

CAL. NO. 284-32-BZ—Application, May 24, 1932; denied November 4, 1932, under section 7f of the building zone resolution; reopened December 27, 1933, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Rock Jay Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises west side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 6, 1934, 2 P. M.

SPECIAL MEETING.

Rules

217-21-SR—Fuel Oil Rules, Proposed Revision of.

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 9, 1934, AT 2 P. M.

Building Zone Cases.

607-31-BZ

APPLICANT—Arehie H. Samuels, for Ben S. Michaelson, owner.

PREMISES—Northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar February 6, 1934).

37-34-BZ.

APPLICANT—Arehie H. Samuels, for Stiroco Realty Corp., owner.

PREMISES—Southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

49-34-BZ.

APPLICANT—H. I. Feldman, for David Nussdorf, owner.

PREMISES—550-554 Bedford avenue, northwest corner of Ross street (Block No. 2181, Lot No. 33), Brooklyn.

APPLICATION, under section 7a of the building zone resolution,

TO PERMIT in a residence district the alteration and extension of an existing building used in part for business use.

59-34-BZ.

APPLICANT—Maxwell H. Lanes, for Estate of Charles A. Peabody, owner.

PREMISES—94-100 Clark street, 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores).

62-34-BZ.

APPLICANT—Henry G. Harrington, for Dagmar M. Clements, owner.

PREMISES—6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station.

APRIL 10, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 10, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 373-33-BZ—Application, December 11, 1933, under section 21 of the building zone resolution, of Henry J. Nurick, applicant, on behalf of Michael Salit, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 176-192 Kings Highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

CAL. NO. 327-33-BZ—Application, October 18, 1933, under section 21 of the building zone resolution, of Harold J. Crawford, applicant, on behalf of Nora Eberhardt, owner, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building; premises 21-17—30th avenue (Block No. 547, Lot No. 7), Astoria, Borough of Queens.

CAL. NO. 302-33-BZ—Application, September 18, 1933, under section 21 of the building zone resolution, of Frank Giorgio, Jr., applicant, on behalf of Antonio Monteleone and Rose Monteleone, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

CAL. NO. 345-33-BZ—Application, November 14, 1933, under sections 7b, 7c and 21 of the building zone resolution, of Walter Zeitz, applicant, on behalf of Walmere Realty Co., Inc., owner, to permit partly in a residence district and partly in a busi-

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ness district, the erection and maintenance of a building to be used for business use (stores); premises 3146 Heath avenue, south side, 117 ft. 8 in. west of Kingsbridge terrace (Block No. 3257, Lot No. 53), The Bronx.

CAL. NO. 353-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of Saul Goldsmith, applicant, on behalf of Ellen Martin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.

CAL. NO. 387-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of William Mulligan, applicant and owner, to permit in a residence district the alteration and change of occupancy of an existing dwelling so as to include a business use (store); premises 122-12 25th road (Block No. 218, Lot No. 29), College Point, Borough of Queens.

CAL. NO. 11-34-BZ—Application, January 22, 1934, under section 21 of the building zone resolution, of Joseph Walsh, applicant, on behalf of Harry Koggan, owner, to permit in a business district the change of occupancy of an existing premises to junk shop; premises 273 Chester street, east side, 179 ft. 2¾ in. south of Blake avenue (Block No. 3560, Lot No. 12), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 10, 1934, at 2 o'clock, in Room 1013, Municipal Building* on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

CAL. NO. 386-33-BZ—Application, December 28, 1933, under section 21 of the building zone resolution, of Marcus L. Bermann, applicant, on behalf of Ralph Horton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises

northeast corner of Eastern boulevard and Sound View avenue, through to Croes avenue (Block No. 3722, Lot No. 18), The Bronx.

CAL. NO. 368-33-BZ—Application, December 7, 1933, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Sonsam Corporation, owner, to permit partly in a business district and partly in a resident district, the erection and maintenance of a gasoline service station; premises Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

CAL. NO. 132-31-BZ—Application, March 19, 1931; dismissed for lack of prosecution, December 4, 1931; reopened and restored to Calendar, November 21, 1933, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wandil Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station and a motor vehicle repair shop; premises northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill,, Borough of Queens.

CAL. NO. 116-33-BZ—Application, March 27, 1933; denied June 27, 1933; request for reopening withdrawn July 18, 1933; reopened January 26, 1934, for reconsideration under new facts, under sections 7e and 21 of the building zone resolution, of Arthur F. Lamanda, applicant, on behalf of Katherine Alberti, owner, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ; premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

CAL. NO. 287-33-BZ—Application, September 6, 1933, under section 21 of the building zone resolution, of Fred Meier, applicant, on behalf of William Allan, owner, to permit in a business district the erection and maintenance of a gasoline service station; January 9, 1934, laid over for full vote of Board; restored to Calendar March 6, 1934; premises northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

CAL. NO. 597-32-BZ—Application, December 2, 1932, under section 21 of the building zone resolution, of Henry A. Urquhart, applicant, on behalf of John Wischerth, owner, to permit in a business district the erection and maintenance of a gasoline service station; denied October 17, 1933; remitted by Court for further

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consideration February 17, 1934; restored to Calendar March 6, 1934; premises 33-41 Stone avenue, southeast corner of McDougal street (Block No. 1535, Lot No. 1), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 380-33-BZ—Application, December 19, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Frank Teltsch, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

APRIL 17, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 17, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, excepting cases which have been*

MINUTES

BOARD OF STANDARDS AND APPEALS.

SPECIAL MEETING

FRIDAY AFTERNOON, MARCH 16, 1934.

Present: Chairman Murdock, Commissioners Savage, Peppe and Blum and Assistant Chief Kidney.

Peter C. Spence, Clarence Michaels, Wm. E. White, F. C. Autenrieth, L. V. Bergen, A. G. Kraus, J. J. Callahan, A. R. Small, Leonard Belford, Earl C. Maxwell, Mrs. J. Maxwell, Frank Zotti, O. W. Fisher, J. S. Byrne, and others.

ACTION OF BOARD RULES—Laid over to April 6, 1934, at 2 p. m., for continued public hearing.

RULES.

217-21-SR.

PETITIONER—American Oil Burner Association, Inc.
SUBJECT—Proposed revision of the Fuel Oil Rules.

APPEARANCES—

Harold Berry, Harry Tapp, William E. Walsh,

Adjourned, 4:35 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MARCH 20, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, March 13, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, March 13, 1934, were approved as printed in Bulletin No. 12, Vol. XIX.

BUILDING ZONE CASES.

308-33-BZ.

APPLICANT—Jacob E. Hurwitz, for Alice Fadool, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use.

PREMISES AFFECTED—195 Prospect Park West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob E. Hurwitz.

For Opposition: Thomas Epstein.

For Administration: Inspector John P. Lang for Tenement House Department.

ACTION OF BOARD—Laid over to April 3, 1934, at 2 p. m., for report of committee on inspection. No further argument.

198-33-BZ.

APPLICANT—John J. Hegarty, for Port of New York Authority, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar, January 3, 1934).

PREMISES AFFECTED—West side of Haven avenue, 217 ft. 4½ in. north of West 172nd street (Block No. 2139, part of Lot Nos. 275 and 357), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Horowitz, A. N. Gitterman, John J. Hegarty.

For Opposition: Frank Lutz.

ACTION OF BOARD—Laid over to April 3, 1934, at 2 p. m., for report of committee on inspection. No further argument.

284-32-BZ.

APPLICANT—Arthur H. Haaren, for Rock Jay Realty Corp., owner.

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SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously denied under section 7f; reopened under section 21, December 27, 1933).

PREMISES AFFECTED—West side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

APPEARANCES—
For Applicant: Arthur H. Haaren, J. T. Scott, Jr.
For Opposition: H. G. Lugloff, Thomas W. Baldwin.

ACTION OF BOARD—Laid over to April 3, 1934, at 2 p. m., for report of committee on inspection. No further argument.

386-33-BZ.

APPLICANT—Marcus L. Bermann, for Ralph Horton, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Eastern boulevard and Soundview avenue through to Croes avenue (Block No. 3722, Lot No. 18), Borough of The Bronx.

APPEARANCES—
For Applicant: Marcus L. Bermann.
For Opposition: None.

ACTION OF BOARD—Laid over to April 10, 1934, at 2 p. m., for report of committee on inspection. No further argument.

368-33-BZ.

APPLICANT—Archie H. Samuels, for Sonsam Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Archie H. Samuels.
For Opposition: Helen Seiden, Bertram Billings, John Pfeiffer, William Dwyer, Eugene Riechetti, Albert Jasinski.

ACTION OF BOARD—Laid over to April 3, 1934, at 2 p. m., for report of committee on inspection. No further argument.

132-31-BZ.

APPLICANT—Kennedy and Ellner, for Wandil Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to calendar November 21, 1933).

PREMISES AFFECTED—Northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

APPEARANCES—
For Applicant: William E. Kennedy.

For Opposition: Dan Megliola, Herman Friedman, Theodore Le Beau, J. Millier, L. Polasky, Thomas Di Russo, Jack Lipson, C. Kutnev.

ACTION OF BOARD—Laid over to April 10, 1934, at 2 p. m., for report of committee on inspection. No further argument.

4-34-BZ.

APPLICANT—Max Siegel, for Josephine J. Schnurmacher, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station.

PREMISES AFFECTED—West side of White Plains road, 245.85 ft. north of 226th street (Block No. 4829, Lot No. 11), Borough of The Bronx.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Application withdrawn by written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

5-34-BZ.

APPLICANT—Louis I. Becker, for Elsie S. Domville, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the change of occupancy of an existing building to business use (restaurant).

PREMISES AFFECTED—15 East 61st street (Block No. 1376, Lot No. 12), Borough of Manhattan.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Application withdrawn by written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

161-33-BZ.

APPLICANT—Frank B. Reardon, for Theodore G. Zeh, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the change of occupancy in part of an existing residence building to a business use; denied July 18, 1933, reopened September 26, 1933.

PREMISES AFFECTED—170-07 115th avenue (Block No. 3087, Lot No. 350), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Frank B. Reardon.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum	4
Negative: Assistant Chief Kidney	1
Absent	0

MINUTES

THE RESOLUTION—

(161-33-BZ)

WHEREAS, Frank B. Reardon, for Theodore G. Zeh, owner, filed, April 28, 1933, an application under the building zone application to permit in a residence district the change of occupancy in part, of an existing residence building to a business use (funeral parlor); premises: 170-07 115th avenue, northeast corner of 170th street (Block No. 3087, Lot No. 350), Jamaica, Borough of Queens; and

WHEREAS, this application was denied by the board July 18, 1933, and applicant amended his papers to eliminate the funeral parlor and requested the use of a portion of the premises for office purposes only and the application was reopened September 26, 1933, by vote of the board on the basis of new facts; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, March 20, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 170th street is in a residence district, 115th avenue is in a residence district, Merrick road is in a business district and 169th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 4, 1933, re Certificate of Occupancy, reads:

"Responding to your communication of September 26, 1933, please be advised that your application for a Certificate of Occupancy (for an office for the purpose of arranging funerals and general office work in connection with the undertaking business) for premises

170-07 115th avenue, Jamaica, Borough of Queens, is hereby denied.

and

WHEREAS, the premises consist of a corner lot upon which is erected a two-story frame residence set back of the building line; it is proposed to occupy the front room extending across the full width of the house and a smaller alcove room at west side on first story as an office for the purpose of arranging funerals and general office work in connection with the undertaking business within a residence use district; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of unnecessary hardship and practical difficulties.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 during the period that the applicant occupies as tenant or owner the existing residential building, not exceeding, however, a period of five (5) years from the date of this action, and permitting the occupancy of part of the first floor, toward the front, for office work only but not, however, permitting any part of the premises to be used as an undertaking establishment or as a funeral parlor, *on condition* that no signs advertising the business of undertaking or other nonconforming uses shall be exhibited on the plot or on the building, except that there may be attached to the house a small sign not exceeding 1 ft. by 2 ft.

Adjourned, 1:30 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 20, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

116-33-BZ.

APPLICANT—Arthur F. Lamanda, for Katherine Alberti.
SUBJECT—Application (re decision of the superintendent of buildings), under sections 7e and 21 of the building zone resolution, to permit in a business district the extension of an existing garage for more than five motor vehicles granted by the board under Cal. No. 304-30-BZ.

PREMISES AFFECTED—50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Borough of Manhattan).

APPEARANCES—

For Applicant: Arthur F. Lamanda, Frank E. Vitola.

For Opposition: Louis A. Jackson, Thomas Boasi.

ACTION OF BOARD—Laid over to April 10, 1934, at 2 p. m., for report of committee on inspection. No further argument.

287-33-BZ.

APPLICANT—Fred Meier, for William Allan, owner.
SUBJECT—Application for restoration to calendar, previously placed on reserve calendar, pending full vote of the board—re Application (decision of the commissioner of buildings), under section 21 of

the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: M. H. Cunningham, John H. McCann, Fred J. Faust.

For Opposition: Frank Spieker, Frank M. Goetz, Frank Matzerath, Richard Gray, Mrs. J. Andrews.

ACTION OF BOARD—Laid over to April 10, 1934, at 2 p. m., for report of committee on inspection. No further argument.

597-32-BZ.

APPLICANT—Henry A. Urquhart, for John Wischerth, owner.

SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station, denied October 17, 1933; remitted by Court for further consideration February 17, 1934; restored to calendar March 6, 1934.

PREMISES AFFECTED—33-41 Stone avenue, southeast corner of McDougal street (Block No. 1535, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph A. Lonergan, John Wischerth.

For Opposition: George E. Reilly, James J. Reynolds, Alfonso La Vecchia.

MINUTES

ACTION OF BOARD—Laid over to April 10, 1934, at 2 p. m., for report of committee on inspection. No further argument.

1304-25-BZ.

APPLICANT—Samuel Fish, submitted for William F. Doyle for Samuel Berman, owner.

SUBJECT—Application for reopening—restoration to calendar—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution to permit the conversion of occupancy from a warehouse and garage for five (5) motor vehicles to a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2447-2449 Coney Island avenue (Block No. 7343, Lot No. 61), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Fish.

ACTION OF THE BOARD—Application reopened, to be set for calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

APPROVAL OF PLANS.

326-33-BZ.

APPLICANT—Sound View Properties, Inc., owner.

SUBJECT—Application for Reopening—amendment to resolution and approval of plans—Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Randall avenue and Sound View avenue (Block No. 3523, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: B. W. Dorfman.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(326-33-BZ)

WHEREAS, this application affecting premises southwest corner of Randall avenue and Sound View avenue (Block No. 3523, Lot No. 34), Borough of The Bronx, was granted by the board December 19, 1933, on certain conditions, and applicant requested an approval of plans and an amendment of the resolution as to these conditions.

Resolved, that the plans marked "received March 19, 1934" be approved as complying in general with the resolution adopted on December 19, 1933, permitting the rearrangement of buildings as shown on plans now submitted, permitting the boiler room to be located as shown on condition that it shall be cut off with approved fireproof material from all parts of the building and that this boiler room shall be enterable only from the exterior; that the

sign referred to in the resolution as being on the southerly wall may be erected on the westerly wall; and that other than as amended herein, the resolution adopted by the board on December 19, 1933, shall be complied with in all respects.

344-33-BZ.

APPLICANT—Samuel Rosenblum, for Parkville Amusement Corp., owner.

SUBJECT—Approval of Plans in accordance with resolution adopted by the board February 23, 1934.

PREMISES AFFECTED—1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot No. 870 and 872), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Plans approved.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(344-33-BZ)

WHEREAS, this application affecting premises 1048-1072 Ocean parkway, west side, 380 ft. south of Avenue J (Block No. 5495, Lot Nos. 870 and 872), Borough of **Brooklyn**, was granted by the board February 23, 1934, on certain conditions, and applicant requests an approval of plans.

Resolved, that plans marked "received March 14, 1934" (5 sheets), be approved as in general compliance as to the height and area of the building, with the requirements of the resolution adopted February 23, 1934, on condition that the provisions of the resolution shall be complied with in all respects.

APPLIANCES SUBMITTED FOR APPROVAL.

231-33-SA.

PETITIONER—Signal Eng. & Mfg. Co., owner.

SUBJECT—Signal Eng. & Mfg. Co. Interior Fire Alarm Box—approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of fire prevention, department of buildings.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(231-33-SA)

WHEREAS, the Signal Eng. & Mfg. Co., owner, filed, June 23, 1933, a petition with the board of standards and appeals for approval of the device known as the Signal Eng. & Mfg. Co. Interior Fire Alarm Box; and

WHEREAS, this device was submitted to the engineer of the board and to the division of fire prevention of the department of buildings for test and report; and

WHEREAS, the report of the engineer of the board and of the inspector in charge of the electrical division of the bureau of fire prevention, approved by the commissioner of buildings of the Borough of Manhattan, recommended the approval of the Signal Engineering and Manufacturing Co.'s Interior Fire Alarm box, Types S.P., F.P., S.G.P., F.G.P., S.P.D., F.P.D., S.G.P.D., and F.G.P.D., as more particularly described in said report.

MINUTES

Resolved, that the board of standards and appeals does hereby approve the Signal Eng. & Mfg. Co. Interior Fire Alarm box of types as designated for automatically sounding a code signal on the gongs of an interior fire alarm system after the mechanism of the station has been manually started.

10-34-SA.

PETITIONER—Isaac Huppert, for Hupp Oil Burner Company, owner.

SUBJECT—Hupp Oil Burner, Models H, U, P and PP—approval of.

APPEARANCES—

For Petitioner: Isaac Huppert.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

5

Negative

0

Absent

0

THE RESOLUTION—

(10-34-SA)

WHEREAS, Isaac Huppert, for the Hupp Oil Burner Company, owner, filed, January 22, 1934, a petition with the board of standards and appeals for approval of the device known as the Hupp Oil Burner, Models H, U, P and PP; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

"The model tested at the location given is known as the Model H and it consists of the following parts:

"A Webster fuel unit consisting of pump, strainer and regulating valve; a Westinghouse 1/6 H.P. motor; a Sirocco blower, manufactured by the American Blower Company and a Nitralloy nozzle of two-gallons capacity. Electrodes are made of Nichrome wire.

"Ignition—Electric, supplied by a Webster transformer type 211 AR, rated at 110-10,000 volts.

"Controls—In this particular burner, the Penn Electric Switch Company's controls were used, consisting of JSI type stack switch and JSIL pressurestat.

"Examination of electrodes on this burner showed no carbon deposits. When the burner was operated from a cold start with the oil shut off, the stack control operated and shut the burner down in 60 seconds on two successive tests. Examination of the combustion chamber showed no undue carbon deposits, and during the period of test there were no puff backs or flares.

"The models U, P, PP differ only from this model that we tested in the fact that the fan, motor and nozzle are of larger sizes. We examined these models at the show room of the Hupp Oil Burner Company, 563 Fourth avenue, Brooklyn.

"We therefore recommend that the Hupp Oil Burner, Cal. No. 10-34-SA, Models H, U, P, PP be approved for domestic, commercial and industrial use, when installed in accordance with the Fuel Oil Rules, adopted by the Board of Standards and Appeals."

Resolved, that the board of standards and appeals does hereby approve the device known as the Hupp Oil Burner, Models H, U, P and PP for use in domestic, commercial and industrial installations when installed in accordance with above report and the fuel oil rules of the board of standards and appeals.

Adjourned, 4:10 p. m.

EDWARD V. BARTON, Chief Clerk.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Kraissl Fuel Oil Pump.....	60-28-SA
American Marsh Simplex.....	639-25-SA	Leiman Rotary	95-24-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	M. D. Rotary.....	52-27-SA
Beach Russ Co. Rotary.....	1134-22-SA	Milwaukee Piston Rotating Port Pump....	763-25-SA
Blackmer Rotary	935-24-SA	Monroe Oil Pump.....	658-26-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Northern Rotary	1396-24-SA
Century Rotary	908-21-SA	Pascoe Pump Set.....	1029-26-SA
Cook Electric Oil Pump.....	603-25-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Davidson	590-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Dean Bros. Durable Duplex.....	840-22-SA	Quimby Screw Pump.....	1193-21-SA
DeLaval IMO Oil Pump.....	628-32-SA	Ray Rotary	588-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Rotary Vacuum Pump.....	513-25-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

RULES

PLUMBING, DRAINAGE, WATER SUPPLY, GAS PIPING AND VENTILATION OF BUILDINGS.

Adopted by the Superintendents of Buildings, Effective April 23, 1912; Amended by the Board of Standards and Appeals, July 5, 1917; December 27, 1918; March 8, 1921; October 21, 1921; July 17, 1923; January 8, 1924; May 5, 1931 and November 12, 1931.

Filing of Drawings, Descriptions, Etc.

1. Drawings and triplicate descriptions, on forms furnished by the Department of Buildings for all Plumbing and Drainage, shall be properly filled in, and filed by the owner or architect in the said Department. The plans must be drawn to scale in ink, on cloth, or they must be cloth prints of such scale drawings, and shall consist of such floor plans and sections as may be necessary to show clearly all plumbing work to be done, and must show partitions and methods of ventilating water-closet apartments.

2. The said plumbing and drainage shall not be commenced or proceeded with until said drawings and descriptions shall have been so filed and approved by the Commissioner of Buildings.

3. No modification of the approved drawings and descriptions will be permitted unless either amended drawings and triplicate descriptions, or an amendment to the original drawings and descriptions, covering the proposed change or changes, are so filed and approved by the Commissioner of Buildings.

4. The drainage and plumbing of all buildings, both public and private, shall be executed in accordance with the rules and regulations of the Department of Buildings.

5. Repairs or alterations of plumbing or drainage may be made without filing drawings and descriptions in the Department of Buildings, but such repairs or alterations shall not be construed to include cases where new vertical lines or horizontal branches of soil, waste, vent or leader pipes are proposed to be used.

6. Notice of such repairs or alterations shall be given to the said department before the same are commenced in such cases as shall be prescribed by the rules and regulations of the said department, and the work shall be done in accordance with the said rules and regulations.

7. Where repairs or alterations, ordered by the Board of Health or Tenement House Department for sanitary reasons, include cases where new vertical and horizontal lines of soil, waste, vent or leader pipes are proposed to be used or old ones replaced, drawings and descriptions must be filed with and approved by the Commissioner of Buildings before same shall be commenced or proceeded with.

8. Repairs and alterations may comply in all respects with the weight, quality, arrangement and venting of the rest of the work in the building. Except when an existing soil, waste or vent line has been damaged by fire or other causes to the extent of 50 per cent or more of its entire length, same must be replaced by new lines installed in accordance with the rules and regulations governing new lines.

9. No plumbing and drainage or any part thereof shall be commenced until the plumber who is to do the work shall sign the specifications and make affidavit that he is duly authorized to proceed with the work. Affidavit must give the name and address of owner and plumber, etc. No registered plumber shall sign the specifications and act as the agent for a plumber who has not obtained a certificate of competency from the Examining Board of Plumbers as an Employing or Master Plumber. A violation of this rule will be deemed a sufficient reason by the Commissioner of Buildings for the cancellation of a Certificate of Registration, in accordance with Chapter 803, Laws of 1896.

10. One set of specifications will be received for not

more than ten houses, and then only when on adjoining lots and houses are exactly alike.

11. Written notices must be given to the Commissioner of Buildings by the plumber when any work is begun, and at such times as the work is ready for inspection.

Definition of Terms.

12. The term "private sewer" is applied to main sewers that are not constructed by and under the supervision of the Department of Public Works.

13. The term "house sewer" is applied to that part of the main drain or sewer extending from a point two feet outside of the outer front wall of the building, vault or area to its connection with public sewer, private sewer or cesspool.

14. The term "house drain" is applied to that part of the main horizontal drain and its branches inside the walls of the building, vault or area and extending to and connecting with the house sewer.

15. The term "soil line" is applied to any vertical line of pipe having outlets above the floor of first story for water closet connections.

16. The term "waste line" is applied to any vertical line of pipe having outlets above the first floor for fixtures other than water closet.

17. The term "vent pipe" is applied to any special pipe provided to ventilate the system of piping and to prevent trap siphonage and back pressure.

Materials and Workmanship.

18. All materials must be of the best quality, free from defects, and all work must be executed in a thorough, workmanlike manner.

19. All cast-iron pipes and fittings must be uncoated, sound, cylindrical and smooth, free from cracks, sand holes and other defects, and of uniform thickness.

20. Pipe, including the hub, shall weigh not less than the following average weights per linear foot:

Diameters	Weights per Linear Foot	
	Standard	Extra Heavy
2 inches.....	3 3/5	5 1/2 pounds
3 inches.....	5 1/5	9 1/2 pounds
4 inches.....	7	13 pounds
5 inches.....	9	17 pounds
6 inches.....	11	20 pounds
7 inches.....	14	27 pounds
8 inches.....	17	33 1/2 pounds
10 inches.....	23	45 pounds
12 inches.....	33	54 pounds

Standard pipe may be used above ground in residence buildings not exceeding two stories and basement in height. In all other buildings extra heavy pipe shall be used.

21. The size, weight and maker's name must be cast on each length of pipe.

22. All joints must be made with picked oakum and molten lead and be made gas tight. Twelve ounces of fine, soft pig lead must be used at each joint for each inch in the diameter of the pipe when extra heavy pipe is used, and nine ounces when standard pipe is installed.

23. All wrought iron and steel pipes must be equal in quality to "standard" and must be properly tested by the manufacturer. All pipe must be lap-welded. No plain black or uncoated pipe will be permitted.

24. All wrought iron or steel water supply, vent, waste and soil pipes must be galvanized.

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25. Where galvanized wrought iron or steel pipe is required the fittings used on same must also be galvanized.

26. Fittings for waste or soil and refrigerator waste pipes must be cast-iron recessed and threaded drainage fittings, with smooth interior waterway, and threads tapped, so as to give a uniform grade to branches of not less than one-fourth of an inch per foot.

27. Short nipples on wrought iron or steel pipe, where the unthreaded part of the pipe is less than one and one-half inches long, must be of the thickness and weight to correspond to weight of pipe.

28. The pipe shall not be less than the following average thickness and weight per linear foot:

Diameter	Thicknesses	Weights per Linear Foot
1½ inches	.14 inches	2.68 pounds
2 inches	.15 inches	3.61 pounds
2½ inches	.20 inches	5.74 pounds
3 inches	.21 inches	7.54 pounds
3½ inches	.22 inches	9.00 pounds
4 inches	.23 inches	10.66 pounds
4½ inches	.24 inches	12.34 pounds
5 inches	.25 inches	14.50 pounds
6 inches	.28 inches	18.76 pounds
7 inches	.30 inches	23.27 pounds
8 inches	.32 inches	28.18 pounds
9 inches	.34 inches	33.70 pounds
10 inches	.36 inches	40.06 pounds
11 inches	.37 inches	45.02 pounds
12 inches	.37 inches	48.98 pounds

29. All brass pipe for soil, waste and vent pipes and solder nipples must be thoroughly annealed, drawn, brass tubing, of standard iron-pipe gauge.

30. Connections on brass pipe and between brass pipe and traps on iron pipe must not be made with slip joints of couplings. Threaded connections on brass pipe must be of the same size as iron pipe thread for same size of pipe and be tapered.

31. The following average thicknesses and weights per linear foot will be required:

Diameters	Thicknesses	Weights per Linear Foot
1½ inches	.14 inches	2.84 pounds
2 inches	.15 inches	3.82 pounds
2½ inches	.20 inches	6.08 pounds
3 inches	.21 inches	7.92 pounds
3½ inches	.22 inches	9.54 pounds
4 inches	.23 inches	11.29 pounds
4½ inches	.24 inches	13.08 pounds
5 inches	.25 inches	15.37 pounds
6 inches	.28 inches	19.88 pounds

32. Where light or heavy pipe is used brass ferrules must be of best quality cast brass, not less than 4 inches long and 2 inches and 3 inches and 4 inches in inside diameter and not less than the following weights:

Diameters	Weights
2 inches	1 pound 0 ounces
3 inches	1 pound 12 ounces
4 inches	2 pounds 8 ounces

33. One and one-half inch ferrules are not permitted.

34. Soldering nipples must be heavy cast brass or of brass pipe, iron pipe-size. When cast they must not be less than the following weights:

Diameters	Weights
1½ inches	0 pound 8 ounces
2 inches	0 pound 14 ounces
2½ inches	1 pound 6 ounces
3 inches	2 pounds 0 ounces
4 inches	3 pounds 8 ounces

35. Brass screw caps for cleanouts must be extra heavy, not less than one-eighth of an inch thick. The screw cap must have a solid square or hexagonal nut, not less than one inch high, with a least diameter of one and one-half inches. The body of the cleanout ferrule must be at least equal in weight and thickness to the caulking ferrule for the same size of pipe.

36. Where cleanouts are required by rules and by the approved plans, the screw cap must be of brass. The engaging part must have not less than six threads of iron-pipe size and be tapered. Cleanouts must be of full size of trap up to four inches in diameter, and not less than four inches for larger traps.

37. The use of lead pipes is restricted to the short branches of the soil and waste pipes, bends and traps, roof connections of inside leaders.

"Short branches" of lead pipe shall be construed to mean not more than:

8 feet of	1½ inch pipe
5 feet of	2 inch pipe
2 feet of	3 inch pipe
2 feet of	4 inch pipe

38. All connections between lead pipes and between lead and brass or copper pipes must be made by means of "wiped" solder joint.

39. All lead waste, soil, vent and flush pipes must be of the best quality, known in commerce as "D," and of not less than the following weights per linear foot:

Diameters	Weights per Linear Foot
1¼ inch (for flush pipes only)	2½ pounds
1½ inches	3 pounds
2 inches	4 pounds
3 inches	6 pounds
4 and 4½ inches	8 pounds

40. All lead traps and bends must be of the same weights and thicknesses as their corresponding pipe branches. Sheet lead for roof flashings must be six-pound lead, and must extend not less than six inches from the pipe, and the joint made watertight.

41. Copper tubing, when used for inside leader roof connections, must be seamless drawn tubing, not less than 22 gauge, and when used for roof flashings must be not less than 18 gauge.

General Regulations.

42. Each building must be separately and independently connected with a public or private sewer, or cesspool, except where a building is located on the rear of the same lot with another building, when its plumbing and drainage system may be connected to the house-drain of the front

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building behind the house trap and fresh air inlet which shall be used for both buildings if sewer connected; or may be connected to an existing cesspool of front house and be provided with a separate house trap and fresh air inlet.

43. Every building must have its sewer connections directly in front of the building, unless permission is otherwise granted by the Commissioner of Buildings.

44. Where there is no sewer in the street or avenue, and it is possible to construct a private sewer to connect in an adjacent street or avenue, a private sewer may be constructed, to be used in common for one or more buildings. It must be laid outside the curb under the roadway.

45. Cesspool and privy vaults will be permitted only after it has been shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary.

46. When allowed, they must be constructed strictly in accordance with the terms of the permit issued by the Commissioner of Buildings.

47. Cesspools must not be used as privy vaults nor can privy vaults be used as cesspools. Cesspool and privy vaults must be located at least 15 feet from any building and on the same lot as building for which their use is intended. Walls of cesspools and privy vaults when constructed of brick must be 8 inches thick; if of stone, 18 inches thick. Bottoms of cesspools and privy vaults must be of stone concrete 6 inches thick. The entire interior surface of cesspools and privy vaults must be finished with a coating of Portland cement mortar 1 inch thick.

48. As soon as it is possible to connect with a public sewer, the owner must have the cesspool and privy vault emptied, cleaned and disinfected and filled with fresh earth, and have a sewer connection made in the manner herewith prescribed.

49. All pipe lines must be supported at the base on brick piers, or by heavy iron hangers from the cellar ceiling-beams, and along the line by heavy iron hangers at intervals of not more than ten feet.

50. All pipes, issuing from extensions or elsewhere, which would otherwise open within 20 feet of the window of any building, must be extended above the top of any window located within such distance. When a building exceeds in height that of an adjoining building, and windows or openings are cut in the wall on the lot line within 20 feet of the roof terminal of any soil, waste or vent line now in place or subsequently installed in the lower building, the owner of the higher building shall defray the expense of extending said soil, waste or vent lines above the roof of the higher building, or shall himself make such alteration.

51. The arrangement of all pipes must be as straight and direct as possible. Offsets will be permitted only when unavoidable. •

52. All pipes and traps should, where possible, be exposed to view. They should always be readily accessible for inspection and repairing.

53. In every building where there is a leader connected to the drain, if there are any plumbing fixtures, there must be at least one four (4) inch pipe extending above the roof for ventilation.

Yard, Area and Other Drains.

54. All yards, areas and courts exceeding 15 square feet in area must be drained into the sewer. A shaft open at the top not exceeding 25 square feet in area, and which cannot be connected in back of a leader, yard, court or area drain trap, may be drained into a publicly-placed, water-supplied, properly trapped and vented slop sink.

55. These drains, when sewer-connected, must have con-

nections not less than three inches in diameter. They should be controlled by one trap—the leader trap, if possible.

56. Floor drains will only be permitted when it can be shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary and arrangements made to maintain a permanent water seal in the traps.

57. Cellar drains may be connected in back of and controlled by a leader, yard, court or area drain trap which need not be vented.

58. Subsoil drains should discharge into a sump or receiving tank, the contents of which if discharged by gravity may be discharged into a rain leader, yard, court or area drain behind the trap controlling same or may be discharged through a properly-trapped and vented, water-supplied receptacle. Where mechanical force is required to discharge the contents into the plumbing and drainage system, a proper automatic cut-off or check valve must be provided on the connection between house-drain and apparatus used for raising the contents of sump-pit.

59. The contents of settling chamber or dust receptacle for vacuum cleaners may be discharged into a Plumbing and Drainage system, the same as sub-soil drain sump-pits.

Leaders.

60. Every building shall be kept provided with proper metallic gutters and rain leaders for conducting water from all roofs in such manner as shall protect the walls and foundations from injury. In no case shall the water from any rain leader be allowed to flow upon the sidewalk or adjoining property, but the same shall be conducted by proper pipes to the sewer. If there be no sewer in the street upon which the building fronts, then the water from said leaders may be conducted by proper pipes laid below the surface of sidewalk to the street gutter, or may be conducted by extra heavy cast-iron pipe to a leeching cesspool located at least 20 feet from any building. No plumbing fixtures shall discharge into a leeching cesspool.

61. Inside leaders must be made of cast-iron, wrought iron or steel, with roof connections made gas and water tight by means of a heavy lead or copper-drawn tubing wiped to a brass ferrule or nipple caulked or screwed into the pipe.

62. Outside leaders may be made of sheet metal, but they must connect with the house drain by means of a cast-iron pipe extending vertically five feet above the grade level.

63. Leaders must be trapped with cast-iron running traps so placed as to prevent freezing.

64. Rain-water leaders must not be used as soil, waste or vent pipes, nor shall any such pipe be used as a leader.

The House Sewer, House Drain, House Trap and Fresh Air Inlet.

65. Old house sewers may be used in connection with new buildings or new plumbing only when they are found, on examination by the plumbing inspector, to conform in all respects to the requirements governing new sewers.

66. When a proper foundation consisting of a natural bed of earth, rock, etc., can be obtained, the house sewer can be of earthenware pipe.

67. Where the ground is made or filled in, or where the pipes are less than three feet deep, or in any case where there is danger of settlement by frost or from any cause, and when cesspools are used, the house sewer must be of extra heavy cast-iron pipe, with lead-caulked joints.

68. No earthenware house-drain, when found in a leaky or defective condition, shall be repaired or replaced except with heavy cast-iron pipe.

69. The house-drain and its branches must be of extra heavy cast iron when under ground, and of extra

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heavy cast iron or galvanized wrought iron or steel when above ground, except as provided in Rule 20 of these rules.

70. The house drain must properly connect with the house sewer at a point two feet outside of the outer front vault or area wall of the building. An arched or other proper opening must be provided for the drain in the wall to prevent damage by settlement.

71. The house drain if above the cellar floor must be supported at intervals of ten feet by eight-inch brick piers or suspended from the floor beams, or be otherwise properly supported by proper hangers placed not more than 10 feet apart.

72. No steam-exhaust, boiler blow-off or drip-pipe shall be connected with the house-drain. Such pipes must first discharge into a proper condensing tank, and from this a proper outlet to the house sewer outside of the building must be provided. In low pressure steam systems the condensing tank may be omitted, but the waste connections must be otherwise as above required.

73. The house-drain and house-sewer must be run as direct as possible, with a fall of at least one-quarter inch per foot, all changes in direction made with proper fittings, and all connections made with Y branches and one-eighth and one-sixteenth bends.

74. The house-sewer and house-drain must be at least four inches in diameter when receiving the discharge of a water-closet. Where rain leaders are connected to the plumbing system, the sizes of house-sewer, house-drain and leader connections shall be computed according to the square feet of area drained into them. No house-sewer or house-drain shall be of less diameter than the largest line of pipe connected thereon. The following table is the maximum area allowed to drain into pipes of given diameter:

Diameter of Pipe	Fall ¼ Inch Per Foot	Fall ½ Inch per Foot
3.....	1,200 square feet	1,500 square feet
4.....	2,500 square feet	3,200 square feet
5.....	4,500 square feet	6,000 square feet
6.....	8,000 square feet	10,000 square feet
7.....	12,400 square feet	15,600 square feet
8.....	18,000 square feet	22,500 square feet
9.....	25,000 square feet	31,500 square feet
10.....	41,000 square feet	59,000 square feet
12.....	69,000 square feet	98,000 square feet

75. Full size Y and T branch fittings for handhole cleanouts must be provided where required on house-drain and its branches. No cleanout need be larger than 6 inches in diameter.

76. An iron running trap must be placed in the house-drain near the front wall of the house, and on the sewer side of all connections, except a Y fitting used to receive the discharge from an automatic sewage lift, oil separator, or a drip-pipe where one is used. If placed outside of the house or below the cellar floor, it must be made accessible in a brick manhole, the walls of which must be eight inches thick, with an iron or flagstone cover. When outside the house it must never be less than three feet below the surface of the ground.

77. When the plumbing system of any building is altered by the addition of a new soil, waste or vent line to the extent of 50 per cent. or more, and no house trap and fresh air inlet or leader trap exists on the house-drain, same shall be provided.

78. The house trap must have two cleanouts, with brass screw cap ferrules caulked in.

79. A fresh-air inlet pipe must be connected with the house-drain just inside of the house trap and extended to the outer air, terminating with open end at least one foot

above the grade at most available point to be approved by the Commissioner of Buildings and shown on plans. The fresh-air inlet pipe shall be one-half the diameter of house-drain but not less than 4 inches in diameter.

80. No curb box or similar device with grating placed in sidewalk will be permitted for fresh air inlets.

Soil and Waste Lines.

81. All main, soil, waste or vent pipes must be of iron, steel or brass.

82. When they receive the discharge of fixtures on any floor above the first, they must be extended in full calibre at least one foot above the roof coping, and well away from all shafts, windows, chimneys or other ventilating openings. When less than four inches in diameter, they must be enlarged to four inches at a point not less than one foot below the roof surface by an increaser not less than nine (9) inches long.

83. No caps, cowls or bends shall be affixed to the top of such stack.

84. In all buildings, wire baskets must be securely fastened into the opening of each pipe in an accessible position. When roofs are used for drying purposes or roof gardens, all pipes shall be extended to a height of seven feet.

85. Necessary offsets above the highest fixture branch must not be made at an angle of less than forty-five degrees to the horizontal.

86. Soil and waste pipes must have proper Y or TY branches for all fixture connections.

87. No connection to lead branches for water-closets or slop sinks will be permitted, except the required branch vent.

88. Branch soil and waste pipe must have a fall of at least one-quarter inch per foot.

89. Short TY branches will be permitted on vertical lines only. Long one-quarter bends and long TY's are permitted. Short one-quarter bends and double hubs, short roof increasers and common offsets, and bands and saddles are prohibited.

90. The diameters of soil and waste pipes must not be less than those given in the following table:

Main soil stacks in buildings serving not more than two sets of fixtures in four or less stories	4	inches
Main soil stacks in residence buildings serving not more than two sets of fixtures in five or six stories	4	inches
Main soil stacks in all other cases.....	5	inches
Branch soil pipes for not more than four water-closets	3	inches
Branch soil pipes for more than four water-closets	4	inches
Main waste stacks	2	inches
Main waste stacks for kitchen sinks on six or more floors	3	inches
Branch waste pipes for slop sinks.....	3	inches
Branch waste pipes for laundry tubs.....	1½	inches
When set in ranges of three.....	2	inches
Branch waste for kitchen sinks.....	2	inches
Branch waste for urinals.....	2	inches
Branch waste for other fixtures.....	1½	inches

A set of fixtures, as used in this rule, shall include not more than one water-closet, one bath tub, one wash basin, one sink and two laundry trays.

Vent Pipes.

91. All traps, except approved anti-siphon traps con-

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nected to main waste or soil lines or to the house drain by branch piping not over seven (7) feet in length with a fall not exceeding two (2) inches per foot, shall be protected from siphonage and back-pressure by special lines of vent pipes; provided that where approved deep-seal siphon-jet water-closet or slop sink fixtures are installed with branch piping not over five (5) feet in length from fixture to main soil or waste line, the vent pipe may be omitted for such fixtures in buildings not over eight (8) stories in height, and where the main soil or waste line is made one inch larger in diameter than required by these rules, the vent pipe may also be omitted for such fixtures in buildings over eight (8) stories in height.

92. All vent pipe lines and main branches must be of iron, steel or brass. They must be increased in diameter and extended above the roof as required for waste pipes. They may be connected with the adjoining soil or waste line well above the highest fixture, but this will not be permitted when there are fixtures on more than six floors.

93. All offsets must be made at an angle of not less than forty-five degrees to the horizontal, and all lines must be connected at the bottom with a soil or waste pipe or the drain in such a manner as to prevent the accumulation or rust scale.

94. Branch vent pipes shall be kept above the top of all connecting fixtures, so as to prevent the use of vent pipes as soil pipes or waste pipes. Branch vent pipes should be connected not less than six inches nor more than two feet from crown or trap or side of lead bend.

95. Except where "yoke type" ventilation is installed, vent connection for water-closets and slop sinks must be made from the branch soil or waste pipe just below the trap of the fixture, and the branch vent pipe must be so connected as to prevent obstruction, and no waste pipe connected between it and the fixture. Earthenware traps must have no vent horns.

"Yoke type" ventilation shall be taken to mean a cross connection, by means of a horizontal branch soil or waste pipe, between the main soil or waste line and the vent line, and in which the connection between the branch pipe and the vent line is made at least six (6) inches above the line of fixtures discharging into such branch pipe.

96. No sheet metal, brick or other flue shall be used as a vent pipe.

97. The sizes of vent pipes throughout must not be less than the following:

For main vents, two inches in diameter; for water-closets on three or more floors, three inches in diameter; for other fixtures on less than seven floors, two inches in diameter; three-inch vent pipe will be permitted for less than nine stories; for more than eight and less than sixteen stories, four inches in diameter; for more than fifteen and less than twenty-two stories, five inches in diameter; for more than twenty-one stories the size of the vent pipe shall be determined by the Commissioner of Buildings.

For fixtures other than water-closets and slop sinks and for more than eight stories, vent pipes may be one inch smaller in diameter than above stated.

For long branch vent pipes over 10 feet in length but not exceeding 25 feet, two inches in diameter; when over 25 feet in length but not exceeding 50 feet, three inches in diameter. No branch vent pipe can exceed 50 feet in length, nor can any main vent be of less diameter than the largest branch vent connecting to same.

98. When the plumbing fixtures installed in any building are arranged in groups or batteries, "yoke type" ventilation may be installed, provided that for batteries of water-closets each fixture shall be set not more than two (2) feet distant from the horizontal branch soil pipe into which it discharges, and for batteries of fixtures other than

water-closets each fixture shall be so located that its trap will be not more than two (2) feet distant from the horizontal branch waste line into which it discharges. When the ordinary type of venting is installed and the number of branch or back vents from the traps of fixtures connecting to any main branch vent exceeds the number and size given in the following table, a 3-inch main branch vent must be provided for the additional vent connections.

2-1½	inch branches on a 1½ inch main branch.
4-2	inch branches on a 2 inch main branch.
7-1½	inch branches on a 2 inch main branch.
2-2	} inch branches on a 2 inch main branch.
4-1½	
1-2	} inch branches on a 2 inch main branch.
5-1½	

Traps.

99. No form of trap will be permitted to be used unless it has been approved by the Commissioner of Buildings or the Board of Standards and Appeals.

No anti-siphon trap or deep-seal siphon-jet fixture shall be approved until it has successfully passed such test as may be prescribed by the Board of Standards and Appeals.

100. No masons' cesspool, bell, pot, bottle or D-trap will be permitted, nor any form of trap that it not self-cleaning, nor that has interior chamber or mechanism, nor any trap except earthenware ones that depend upon interior partitions for a seal. Backwater or tide valves will only be permitted when it can be shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary and of a type as approved by him.

101. Every fixture must be separately trapped by a water-sealing trap placed as close to the fixture outlet as possible, and no trap shall be placed more than 2 feet 0 inches from any fixture.

102. A set of not more than three wash trays may connect with a single trap, or into the trap of an adjoining sink, provided both sink and tub waste outlets are on the same side of the waste line, and the sink is nearest the line. When so connected, the waste pipe from the wash trays must be branched in below the water-seal.

103. The discharge from any fixture must not pass through more than one trap before reaching the house-drain.

104. All traps must be well supported and set true with respect to their water levels.

105. All fixtures, other than water-closets and urinals, must have strong metallic strainers or bars over the outlets to prevent obstruction of the waste pipe.

106. All exposed or accessible traps, except water-closet traps, must have brass trap screws for cleaning the trap placed on the inlet side, or below the water level.

107. All iron traps for house-drain, yard and other drains and leaders must be running traps with handhole cleanouts of full size of the traps, when same are less than five (5) inches. All traps under ground must be made accessible by brick manholes with proper covers.

108. Overflow pipes from fixtures must in all cases be connected on the inlet side of traps.

109. All earthenware traps must have approved heavy brass floor plates properly secured to the branch soil pipe and bolted to the trap flange, and the joint made gas-tight. The use of rubber washers for floor connections is prohibited. All floor flanges must be set in place and inspected before any water-closet is set thereon.

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110. No trap shall be placed at the foot of main soil and waste pipe lines.

111. Every plunge bath shall be provided with a trap at least four inches in diameter, the waste from trap to bath to be reduced to two inches in diameter and this waste to be controlled by a gate valve. Overflow pipes, if provided, must be connected on inlet side of trap. Except where an approved anti-siphon trap is installed in the manner specified in Rule 91, such trap must be ventilated by a separate vent line extended above the roof, of the same size as trap and water connection.

112. The sizes for traps must not be less than those given in the following table:

Traps for water-closets.....	4	inches in diameter
Traps for slop sinks.....	3	inches in diameter
Traps for kitchen sinks.....	2	inches in diameter
Traps for wash trays.....	2	inches in diameter
Traps for urinals.....	2	inches in diameter
Traps for shower-baths.....	2	inches in diameter
Traps for other fixtures.....	1½	inches in diameter

Traps for leaders, area, floor and other drains must be at least 3 inches in diameter.

113. Every dental cuspidor must be separately trapped by a trap of at least one and one-half (1½) inches in diameter, which shall be vented except where an approved anti-siphon trap is installed in the manner specified in Rule 91, and placed as close to the fixture as possible. The connection between trap and cuspidor may be three-quarters (¾) of an inch in diameter.

114. No plumbing fixtures, except bar sinks, soda fountains or drinking fountains, shall be installed with an indirect waste connection to the plumbing and drainage system. The waste of every bar sink, soda fountain and drinking fountain, if not directly connected, must discharge over a properly water-supplied, trapped sink, with trap vented, unless an approved anti-siphon trap is installed in the manner specified in Rule 91. The main waste lines shall be two (2) inches in diameter, and the branches to fixtures at least one and one-half (1½) inches in diameter. Drinking fountains must be trapped and the waste line extended through the roof. No vent connections need be provided.

Safe and Refrigerator Waste Pipes.

115. Safe and refrigerator waste pipes must be of galvanized iron, and be not less than 1¼ inches in diameter nor larger than 1½ inches in diameter with pipe branches at least 1 inch in diameter with strainers over each inlet.

116. Safe and refrigerator waste pipes shall not be trapped. They must discharge over a properly water-supplied, trapped sink, with trap vented unless an approved anti-siphon trap is installed in the manner specified in Rule 91, such sink to be publicly placed, and not more than 4 feet above the floor. In no case shall any refrigerator or safe waste pipe discharge over a sink located in a room used for living purposes.

117. The branches on vertical lines must be made by Y or TY fittings and carried up to the safe with as much pitch as possible.

118. Lead safes must be graded and neatly turned over bevel strips at their edges.

119. Where there is an offset on a refrigerator waste pipe in the cellar, there must be cleanouts to control the horizontal part of the pipe.

120. In all lodgings and tenement houses the safe and refrigerator waste pipes must extend above the roof.

Water Closets, Sinks and Washtubs.

(Good except as relating to tenement houses and factories)

121. In all buildings occupied as stores, dwellings, lodging or boarding houses, hotels, offices, lofts, workshops, factories or storage houses, there must be at least one water-closet in each building. There must be sufficient water-closets so that there will never be more than 15 persons to each water-closet. In places of public assembly, the number of toilets and the most available location are to be determined by the Commissioner of Buildings.

122. Separate water-closets and toilet rooms must be provided for each sex in buildings used as workshops, lofts, office buildings, factories, hotels, and all places of public assembly.

123. In lodging houses, there must be one water-closet on each floor, and where there are more than 15 persons on any floor there must be an additional water-closet on that floor for every 15 additional persons or fraction thereof.

124. In tenement houses, lodging houses, factories, workshops, and all public buildings, the entire water-closet apartment, and side walls to a height of six inches from the floor, except at the door, must be made waterproof with asphalt, cement, tile, metal or other waterproof material as approved by the Commissioner of Buildings.

125. In all buildings, the water-closet and urinal apartments must be ventilated to the outer air by windows opening on the same lot upon which the building is situated or by a ventilating skylight placed over each room or apartment wherein such fixtures are located.

126. In all buildings, the outside partition of any water-closet or urinal apartment must be air-tight and extend to the ceiling or be independently ceiled over. When necessary to properly light such apartments, the upper part of the partitions must be provided with translucent glass. The interior partitions of such apartments must be dwarfed partitions.

127. The general water-closet accommodation of any building cannot be placed in the cellar, nor can any water-closet be placed outside of a building except to replace an existing water-closet.

128. In alteration work where it is not practicable to ventilate a water-closet or urinal apartment by windows or a skylight directly to the outer air, there may be provided a galvanized wrought iron vent duct extended to the outer air which must be equal in area to at least 144 inches for one water-closet or urinal, and an additional 72 square inches for each water-closet added therein.

129. Where water-closets will not support a rim-seat, the seat must be supported on galvanized iron legs.

130. Every earthenware water-closet with connection through the floor in all new work, and in all alterations, must be set on an approved floor slab of porcelain, slate or other material impervious to moisture, same to be not less in size than the base of the water-closet set thereon.

131. All water-closets must have earthenware flushing rim bowls. They must be set entirely free and open from all enclosing woodwork.

132. Pan, plunger, offset-washout and washout, or other water-closets having an unventilated space, or the walls of which are not thoroughly washed out at each discharge, will not be permitted.

133. Long hopper water-closets will not be permitted, except earthenware hoppers where there is an exposure to frost.

134. Drip trays on water-closets will not be permitted.

135. Water-closets and urinals must never be connected directly with or flushed from the water-supply pipes, except when flushometer valves are used.

136. Each water-closet and urinal must be flushed from a separate cistern, the water from which is used for no other purpose, or may be flushed through flushometer valves.

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137. Where "Flushometers" are used, they must be supplied from tank pressure, unless otherwise permitted by the Commissioner of Buildings; the rising lines shall be at least one and one-half inches in diameter, and the main branches shall be at least one and one-quarter inches in diameter, with individual branches not less than one inch in diameter, for water-closets and not less than one-half inch in diameter for urinals. Individual branches shall not exceed twelve inches in length.

138. The overflow of cisterns may discharge into the bowl of the closet, but in no case connect with any part of the drainage system.

139. Iron water-closet and urinal cisterns and automatic water-closet and urinal cisterns are prohibited, unless approved by the Commissioner of Buildings.

140. The copper lining of water-closet and urinal cisterns must not be lighter than ten (10) ounce copper.

141. Water-closet flush pipes must not be less than one and one-fourth inches and urinal flush pipes one (1) inch in diameter, and if of lead must not weigh less than two and one-half pounds and two pounds per linear foot. Flush couplings must be of full size of the pipe.

142. Rubber connections and elbows are not permitted on flush pipes.

143. Latrines, trough water-closets and similar appliances may be used only on written permit from the Commissioner of Buildings, and must be set and arranged as may be required by the terms of the permit.

144. All urinals must be constructed of materials impervious to moisture, and that will not corrode under the action of urine. The floor and wall of the urinal apartments must be lined with similar non-absorbent and non-corrosive material.

145. The platforms of treads of urinal stalls must never be connected independently to the plumbing system, nor can they be connected to any safe waste pipe.

146. Iron trough water-closets and trough urinals must be enameled or galvanized.

147. In all houses, sinks must be entirely open, on iron legs or brackets without any inclosing woodwork.

148. Wooden wash tubs are prohibited, except when used in hotels, restaurants or bottling establishments for washing dishes or bottles. Cement or artificial stone tubs will not be permitted unless approved by the Commissioner of Buildings.

Water Supply for Fixtures.

149. All water-closets and other plumbing fixtures must be provided with a sufficient supply of water for flushing to keep them in a proper and cleanly condition.

Flush tanks must have a capacity of eight gallons for water-closets and five gallons for urinals.

150. House service pipes must be connected to the street mains by means of taps, and a stop-cock or valve placed under the sidewalk at the curb, in compliance with the rules and under the supervision of the Department of Water Supply, Gas and Electricity.

151. A separate stop or valve must be placed upon the service pipe inside the front wall.

152. The diameters of street service pipes must not be less than three-quarter inch for dwellings and tenements occupied by six families or less; one inch for tenements and one and one-half inch for hotels, factories and other miscellaneous buildings, provided that in no case can the diameter of the service pipes be less than the diameter of the tap installed under the supervision of the Department of Water Supply, Gas and Electricity.

Riser Lines.

153. The diameter of all riser lines in plumbing systems shall be not less than three-quarters ($\frac{3}{4}$) inches; except that when lead or brass pipe is used, the minimum diameter may be one-half ($\frac{1}{2}$) inch.

Separate stop-cocks or valves, so located as to be accessible at all times, shall be placed at the foot of each riser line and, in all buildings other than residence buildings occupied exclusively by one or two families or having not more than fifteen sleeping rooms, on each branch line from the riser for each isolated fixture or each group of fixtures, such as bathroom fixtures, kitchen fixtures, etc.; except that only one stop cock or valve shall be required for the fixtures contained in any one apartment, suite, store or loft occupied by one tenant when all the fixtures contained in each such apartment, suite, store or loft are supplied from one branch line.

154. Diameters of branches to any fixtures must not be less than one-half inch, except when used to supply water-closets, cisterns or laboratories. When the material used is lead or brass pipe, the minimum diameter may be three-eighths inch. Branches for flush valves for water-closets must not be less than one and one-quarter inch in diameter and for urinals not less than three-quarters of an inch in diameter.

155. Where a hot water supply system is installed, the distance between the hot and cold water risers should not be less than six inches. Where it is impossible to place them six inches or more apart, the hot water riser must be covered with an approved insulating material and a method of circulation provided that will insure a prompt delivery of hot water at the faucet when required.

All hot water systems in buildings of more than four stories in height shall be of an approved circulating type. In buildings of four stories or less where the developed length of hot water piping exceeds 100 feet from the boiler to the fixture, an approved circulating system shall be installed.

(In connection with this amendment adopted November 12, 1931, all present installations where complying with the current rules may be maintained until April 1, 1933, with the proviso that should the Commissioner of the Department of Water Supply, Gas & Electricity deem an emergency exists the rule shall become effective on thirty days' notice of such emergency to the Commissioner of Buildings).

156. All risers and branches must be properly fastened.

157. When the water pressure is not sufficient to supply freely and continuously all fixtures, a house supply tank must be provided of sufficient size to afford an ample supply of water to all fixtures at all times. Such tanks must be supplied from the pressure or by power pumps, as may be necessary; when from the pressure, ball cocks must be provided.

158. House supply tanks must be metal-covered so as to exclude dust and so located as to prevent water contamination by gas and odors from plumbing fixtures.

159. House supply tanks must be of wood or iron, or of wood lined with tinned and planished copper.

160. House tanks must be supported on iron beams.

161. The overflow pipe should discharge upon the roof, where possible, and in such cases should be brought down to within six (6) inches of the roof, or it must be trapped and discharged over an open and water-supplied sink not in the same room, nor over three and one-half feet above the floor. In no case shall the overflow be connected with any part of the plumbing system.

162. Emptying pipes for such tanks must be provided and be discharged in the manner required for overflow pipes, and may be branched into overflow pipes. Emptying pipes for tanks containing more than five hundred (500) gallons must be four (4) inches in diameter and provided with a valve of same size fitted with a wheel or lever handle.

163. Acid wastes must be "B" lead pipe or earthen pipe; if of lead pipe they must be at least two inches in diameter, and if of earthen pipe at least three inches in diameter and continued down to the lower story of building and

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so arranged as to discharge into a lime box and diluting sink properly trapped and vented and connected inside of house trap. If the lime box and diluting sink are not used the acid waste must be extended to an earthen house sewer or separately and independently connected to a public or private sewer in street and provided with an accessible running trap located just inside of front wall of building. All branches and joints on lead acid wastes must be made by means of burnt lead joints. If earthenware pipe is used, vertical joints must be made with a mixture of asphaltum and cement. Each length of pipe on vertical runs and on horizontal runs when above the cellar floor must be supported at each hub by proper supports. All floor drains and fixture connections must be trapped and run as direct as possible.

Sewage Lifts.

164. When it is necessary to use a sump system and sewage lift to receive the discharge from the waste or soil connection to fixtures, same shall be arranged to be accessible. If discharged with compressed air it shall be connected to the house drain on the sewer side of all leader or area drain traps and fixture connections or may be connected to house drain on the sewer side of house trap. A separate trap and fresh air inlet must be provided on the inlet side of sump and a 4-inch pipe line continued from drain discharging into sump up to and above roof, for purposes of ventilation. Relief pipes must be provided on sewage receptacles of sumps. Traps of fixtures connected to sump systems must not be vented to vent lines which are used to ventilate traps of fixtures on gravity system. Sump systems should be entirely separate both as to discharge and venting from rest of plumbing system in buildings.

Oil Separators.

165. Oil separators installed in any building where volatile fluids are used must be arranged to be readily accessible. They must not receive the discharge of any water-closet, rain leader, yard, court or area drain.

166. They must, if discharged by gravity, be connected by a Y branch fitting to the house drain behind the house trap in such a manner that they will not interfere with the house drain and the rest of the plumbing and drainage system. When mechanical force is used to discharge the contents, the connection must be made by a Y branch fitting on the sewer side of house trap.

167. No separate running trap need be provided on the drain entering oil separators, but a separate fresh air inlet and vent line must be provided to keep the system of drainage controlled by the oil separator entirely separate from the rest of plumbing and drainage system.

168. The size of fresh air inlet shall be determined by the size of inlet connection to oil separator, which shall be considered the same as the term house-drain for determining the size of all fresh air inlets, which shall conform to the same requirements as regards size and arrangement of terminals for fresh air inlets as called for in regulations.

169. Vent lines shall conform in all respects to vent lines for plumbing fixtures as regards size and arrangement.

170. Relief pipes must be provided at least 1½ inches in diameter. They may be connected to a vent line when installed as a separate system or must be carried independently above the roof.

Testing the Plumbing System.

171. The entire plumbing and drainage system within the building must be tested by the plumber, in the presence of a Plumbing Inspector, under a water test. All pipes must remain uncovered in every part until they have successfully passed the test. The plumber must securely close all openings, as directed by the Inspector of Plumbing. The use of wooden plugs for this purpose is prohibited.

172. The water test will be applied by closing the lower end of the main house drain and filling the pipes to the highest opening above the roof with water. The water test shall include at one time the house drain and branches, all vertical and horizontal soil, waste and vent and leader lines and all branches therefrom to a point above the surface of the finished floor and beyond the finished face of walls and partitions. If the drain or any part of the system is to be tested separately, there must be a head of water at least six (6) feet above all parts of the work so tested, and special provision must be made for including all joints and connections in at least one test.

173. After the completion of the plumbing work in any new or altered building and before the building is occupied, a final smoke test must be applied in the presence of a Plumbing Inspector. Except that for a building not over six stories in height, a peppermint test may be applied.

174. The material and labor for the test must be furnished by the plumber. When the peppermint test is used, two ounces of oil of peppermint must be provided for each line up to five stories and cellar in height and an additional ounce of oil of peppermint must be provided for each line when lines are more than five stories in height.

Plumbing in Tenement Houses.

175. All sections or parts of sections of the tenement house law relating to plumbing and drainage of tenement houses are to be observed, and are hereby made a part of these rules and regulations.

Gas Piping and Fixtures.

176. Hereafter the gas piping and fixtures in all new buildings and all alterations and extensions made to the gas piping or fixtures in old buildings must be done in accordance with the following rules, which are made in accordance with the provisions of section 89 of the Building Code.

For additional requirements of public buildings, theatres and places of assemblage, see Part XXI of the Building Code.

177. Before the construction or alteration of any gas piping in any building or part of any building, a permit must be obtained from the Commissioner of Buildings. This permit will be issued only to a registered plumber. Small alterations may be made by notifying the Department of Buildings, using the same blank forms provided for alterations and repairs to plumbing.

178. All gas pipe shall be of the best quality wrought iron or steel and of the kind classed as standard pipe, and shall weigh according to the following scale:

Diameters	Weights per Linear Foot
⅜ inch	0.56 pound
½ inch	0.85 pound
¾ inch	1.12 pound
1 inch	1.67 pound
1¼ inch	2.24 pounds
1½ inch	2.68 pounds
2 inch	3.61 pounds
2½ inch	5.75 pounds
3 inch	7.54 pounds
3½ inch	9.00 pounds
4 inch	10.66 pounds

No pipe allowed of less than ⅜ inch in diameter.

179. All fittings (except stop-cocks or valves) shall be of malleable iron.

180. There shall be a heavy brass straightway cock or

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valve on the service pipe immediately inside the front foundation wall. Iron cocks or valves are not permitted.

181. Where it is not impracticable so to do, all risers shall be left not more than five feet from front wall.

182. No pipe shall be laid so as to support any weight (except fixtures) or be subjected to any strain whatsoever. All pipe shall be properly laid and fastened to prevent becoming trapped, and shall be laid, when practicable, above timbers or beams instead of beneath them. Where running lines or branches cross beams, they must do so within thirty-six inches of the end of the beams, and in no case shall the said pipes be let into the beams more than two inches in depth. Any pipe laid in a cold or damp place shall be properly dripped, protected and painted with two coats of red lead and boiled oil or tarred.

183. No gas pipe shall be laid in cement or concrete unless the pipe or channel in which it is placed is well covered with tar.

184. All drops must be set plumb and securely fastened, each one having at least one solid strap. Drops and outlets less than $\frac{3}{4}$ of an inch in diameter shall not be left more than one inch below plastering, centrepieces or woodwork.

185. All outlets and risers shall be left capped until covered by fixtures.

186. No unions or running threads shall be permitted. Where necessary to cut out to repair leaks or make extensions, pipe shall be again put together with right and left couplings.

187. No gasfitters' cement shall be used, except in putting fixtures together.

188. All gas brackets and fixtures shall be placed so that the burners of same are not less than three feet below any ceiling or woodwork, unless the same is properly protected by a shield, in which case the distance shall not be less than eighteen inches.

No swinging or folding gas brackets shall be placed against any stud partition or woodwork.

No gas brackets on any lath and plaster partition or woodwork shall be less than five inches in length, measured from the burner to the plaster surface or woodwork.

Gas lights placed near window curtains or any other combustible material shall be protected by a proper shield.

189. Gas outlets for burners shall not be placed under tanks, back of doors or within four feet of any meter.

190. All buildings shall be piped according to the following scale:

Diameter	Length	Burners
$\frac{3}{8}$ inch	26 feet	3
$\frac{1}{2}$ inch	36 feet	6
$\frac{3}{4}$ inch	60 feet	20
1 inch	80 feet	35
$1\frac{1}{4}$ inch	110 feet	60
$1\frac{1}{2}$ inch	150 feet	100
2 inch	200 feet	200
$2\frac{1}{2}$ inch	300 feet	300
3 inch	450 feet	450
$3\frac{1}{2}$ inch	500 feet	600
4 inch	600 feet	750

191. Outlets for gas ranges shall have a diameter not less than required for six burners, and all gas ranges and heaters shall have a straightway cock on service pipe.

192. When brass piping is used on the outside of plastering or woodwork, it shall be classed as fixtures.

193. All brass tubing used for arms and stems of fixtures shall be at least No. 18 standard gauge and full size outside so as to cut a full thread.

All threads on brass pipe shall screw in at least $\frac{5}{16}$ of an inch. All rope or square tubing shall be brazed or

soldered into fittings and distributors, or have a nipple brazed into the tubing.

194. All cast fittings, such as cocks, swing joints, double centres, nozzles, etc., shall be extra heavy brass. The plugs of all cocks must be ground to a smooth and true surface for their entire length, be free from sandholes, have less than $\frac{3}{4}$ of an inch bearing (except in cases of special design), have two flat sides on the end for the washer, and have two nuts instead of a tail screw. All stop pins to keys or cocks shall be screwed into place.

195. After all piping is fitted and fastened and all outlets capped up, there must be applied by the plumber, in the presence of an inspector of the Department of Buildings, a test with air to a pressure equal to a column of mercury 6 inches in height, and the same to stand for five minutes; only mercury gauge shall be used. No piping shall be covered up, nor shall any fixture, gas heater or range be connected thereto until a card showing the approval of this test has been issued by the Commissioner of Buildings.

196. No meter will be set by any gas company until a certificate is filed with them from the Department of Buildings certifying that the gas pipes and fixtures comply with the foregoing rules.

Modifications.

197. When for any reason it may be impracticable to comply strictly with the foregoing rules, the Commissioner of Buildings shall have power to modify their provisions so that the spirit and substance thereof shall be complied with such modifications shall be indorsed upon the permit over the signature of the Commissioner of Buildings.

METHOD FOR TESTS FOR ANTI-SIPHON TRAPS OR FIXTURES.

Adopted by the Board of Standards and Appeals.
February 11, 1919.

Resolved, that the following be and it hereby is adopted by the board of standards and appeals as the method prescribed for tests for anti-siphon traps or fixtures, which must be successfully passed before such traps or fixtures shall be approved under Rule 99, Rules for Plumbing and Drainage:

Instructions.

1. The entire cost and responsibility for the installation of the necessary equipment for such test shall be borne by the person or firm submitting the appliance.

2. Such person or firm shall also furnish the board, together with the application for test, the following material and information:

(a) A stock trap of the size and design to be tested, which shall be of the P and S type and shall be of lead or brass, cast in one piece, and without interior partitions or mechanism.

(b) A similar trap cut in half.

(c) A similar trap, to be used in the test, provided with glass observation ports of sufficient size to permit clear observation of the action occurring within the trap during test, and such observation ports shall be so located that the amount of water seal remaining after each test can be readily observed.

(d) An affidavit that the three traps submitted are regular stock traps.

(e) A list of all cities, towns or municipalities where such trap has been officially approved for use without back venting.

The testing apparatus shall be located within the City of New York, and in a place, building or structure to meet the approval of the testing authorities. Such apparatus shall be so located that every part is easily accessible for inspection.

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Apparatus.

The apparatus shall consist of the following:

A tank of not less than fifty nor more than one hundred and fifty gallons capacity, with adequate water supply for refilling the same during the test.

A vertical wrought iron or steel pipe line fifty feet long, connected to the underside of the tank, and of the same internal diameter as the trap to be tested.

A quick-opening valve, located ten feet below the underside of the tank.

A TY fitting located two feet below the quick-opening valve, with horizontal branch pipe connected thereto, of the same diameter as the vertical line, this branch line not to exceed two feet in length, with a pitch towards the vertical line of two inches to the foot, and the trap to be tested shall be connected to this horizontal branch pipe.

A wash basin, or fixture answering the same purpose, which can be conveniently connected or disconnected from the inlet side of the trap.

The test shall be conducted as follows:

For Anti-Siphon Qualities.

For the purpose of determining the efficiency of the trap, the tank shall be completely filled, a water seal established in the trap; and:—

The quick-opening valve shall be opened for five seconds, then closed for five seconds, and this alternating process repeated five times.

The quick-opening valve shall be opened and the entire contents of the tank discharged at one time.

The wash basin shall be connected to the trap, filled with water, and both wash basin and tank discharged simultaneously. The quick-opening valve shall be kept open until the entire contents of the tank has been discharged.

The trap shall be disconnected and a bridge of solid soap formed across the lower half of the discharge end of the trap, so as to effectually block one-half of the clear waterway, and the foregoing tests repeated.

Each operation shall be repeated several times, if desired by the testing authorities.

For Self-Cleansing Qualities.

For the purpose of determining its self-cleansing qualities, the trap shall be filled with sand and the wash basin filled with water and allowed to discharge. A similar operation shall be repeated with tea leaves, coffee grounds, sawdust and grated soap.

For Service Qualities.

The service qualities of the trap may be tested as follows:

A trap which has been in actual constant use for a period of not less than one year shall be removed under the supervision of a representative of the testing authorities, split into two halves, and submitted for inspection, for the purpose of determining whether sediment or coating of grease or other foreign matter has accumulated in the trap during service conditions.

Approval.

An approval shall not be issued for any anti-siphon trap which has been subjected to the foregoing tests unless the trap has:

1. Maintained its water seal throughout the test.
2. Been successfully scoured of any foreign substance placed in the trap, when water has been discharged through same.
3. Upon inspection, after service, shown no excessive accumulation of grease or other foreign substance.

Deep Seal Siphon-Jet Fixtures, or Anti-Siphon Fixtures.

Instructions: Applicants for approval of deep seal siphon-jet or anti-siphon fixtures shall submit the following with their application:—

- (a) A stock fixture of the size and design to be tested.
- (b) A similar fixture, cut in half.
- (c) A similar fixture, to be used in the test, provided with glass observation ports of sufficient size to permit clear observation of the action occurring within the fixture during test, and such observation ports shall be so located that the amount of water seal remaining after each test can be readily observed.
- (d) An affidavit that the three fixtures submitted are regular stock fixtures.

Apparatus.

The apparatus shall be similar to that required for anti-siphon traps, except that vertical and horizontal pipes shall have an internal diameter of three inches for testing slop sinks and four inches for testing water closets; tank shall have a capacity of not less than one hundred gallons and the fixture shall be provided with its usual water supply so that same may be flushed when required.

Test.

For the purpose of determining the efficiency of the fixture to maintain a water seal, it shall be tested in a manner similar to that prescribed for anti-siphon traps, except that no soap bridge need be provided at the outlet.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

737-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue, Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

534-31-SA—Page Fuel Burner.

209-32-SA—Crocker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner.

400-32-SA—Superfex Oil Burner for Warm-Air Furnaces.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

62-33-SA—Florence Oil Heater, Model KC-8.

82-33-SA—Inferno Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner).

195-33-SA—Bullet Automatic Oil Burners, Models A and B.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

222-33-SA—Dowie Combination Anti-Syphon Valve.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

346-33-SA—Goodspeed Oil Burner Nozzle Type II.

349-33-SA—Herco Oil Burner.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1.

1-34-SA—Hager Silent Check Valve.

16-34-SA—Warner Oil Burner, Model A.

23-34-SA—Webster Fuel Oil Pump, Type A.

32-34-SA—Super Oil Burner for Pressing Machine.

33-34-SA—Tridex Cleaning Machine.

34-34-SA—Standardyne Oil Burner.

36-34-SA—Utility Oil Burner, Model A.

38-34-SA—Real Host Oil Burner.

41-34-SA—Forsdraft Burner.

46-34-SA—May Oil Burner, Type BB.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

USE OF HYDRATED LIME IN CONCRETE

Adopted by the Board of Standards and Appeals, April 19, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	16
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		Granted on condition.....	40
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		Appliances dismissed, disapproved or withdrawn....	21
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		Rules disapproved, rescinded or withdrawn.....	0
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Reuests to reopen.....	63	Requests to reopen granted.....	56
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Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	11	Requests for modification granted.....	1
Requests for extension of permit.....	1	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	6	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	11
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total.....	417	Requests for extension of permit granted.....	1
Disposed of.....	227	Requests for extension of permit denied.....	0
Cases pending March 21, 1934.....	190	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	6
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	3
		Total.....	227

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 14

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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This issue of the Bulletin contains, in the order given—
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Court Decisions.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, March 27, 1934, at 10 A. M.

Minutes of Regular Meeting, March 27, 1934, at 2 P. M.

Approved Fuel Oil Pumps.

Notice of Public Hearing on Proposed Revision of Fuel Oil Rules

Approved Fireline Hose Valves.

Approved Burners for Industrial Use.

Approved Burners for Domestic and Commercial Use.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, April 2, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, April 9, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to March 28, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
79-34-BZ.....	D.B.Bx...	1660-1662 Westchester ave. and 1220-1228 Metcalf ave., South- east corner (Block 3747, Lot 1), Bronx. N.B. 462-33

78-34-BZ.....	D.B.Q....	94-15 to 94-19 Rockaway blvd., Northeast corner of Wood- haven blvd. (Block 396, Lot 114), Ozone Park, Queens. N.B. 187-34.
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77-34-SA.....	F.D.....	Packard Fuel Oil Burner, Ap- pliance.
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76-34-BZ.....	D.B.B....	1868-1890 Linden blvd., South- west corner of Georgia ave. and South side of Linden blvd., from Georgia ave. to Alabama ave. (Block 4344, Lots 9, 10, 11 and part of lot 1), Brooklyn. Applic. 1795-34
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Restored to Calendar.

372-33-SA.....	F.D.....	Preferred Oil Burner, Appli- ance.
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993-26-BZ.....	D.B.B....	5911-5921 22nd ave. (Bay Park- way) (Block 6548, Part of Lot 1), Brooklyn. Applic. 2033-34
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
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T.H.D.....	Tenement House Department

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Concrete Rules (Hydrated Lime).....	Jan. 9, 1934—Vol. 19 No. 2
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LIST OF APPROVED APPLIANCES

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Fuel Oil Burners for Industrial Use.....	Apr. 3, 1934—Vol. 19 No. 14
Fuel Oil Pumps.....	Apr. 3, 1934—Vol. 19 No. 14

COURT DECISIONS

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

Garden Estates vs. Murdock—Mr. Justice Smith—Board sustained. Feb. 3, 1933, Board granted on condition application for gas station in business district, under section 21. Cal. No. 357-32-BZ; Premises N. W. corner Skillman avenue and 43rd street, L. I. City, Queens.

Special Term and Board reversed by App. Div. (N. Y. L. J. Mch. 24, 1934) Mr. Justice Carswell dissenting.

Rutland Parkway, Inc. vs. Murdock—Mr. Justice Dodd—Board sustained. Feb. 28, 1933, Board granted application for gas station in business district, under section 21 (previously denied for garage, repair shop and gas station November 18, 1927). Cal. No. 492-27-BZ: Premises 1134-44 East New York avenue, Brooklyn.

Special Term and Board sustained by App. Div. (N. Y. L. J. Mch. 24, 1934).

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 2, 1934, AT 2 P. M.

Building Zone Cases.

347-33-BZ.

APPLICANT—Aaron H. Schwartz, for Webames Realty Corporation, owner.

PREMISES—138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling.

1236-27-BZ.

APPLICANT—Archie H. Samuels, for Dorothy Rehder, owner.

PREMISES—Southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously granted on certain conditions and the time within which to obtain permits and complete work has expired; reopened January 9, 1934).

9-34-BZ.

APPLICANT—Robert Gottlieb, for Alna Holding Corporation, owner.

PREMISES—4756 Third avenue, northeast corner of East 189th street (Block No. 3033, Lot No. 53), The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing storage warehouse to a factory.

44-34-BZ.

APPLICANT—Robert Schnepfer, for Annuncio Ambrosia, owner.

CALENDAR

PREMISES—137-02 to 137-10 Linden boulevard, southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

50-34-BZ.

APPLICANT—Adolph Goldberg, for North Shore Motor Sales Co., Inc., owner.

PREMISES—153-20 Nothorn boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

APPLICATION, under sections 7a, 7c and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry.

APRIL 3, 1934, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 3, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 53-30-BZ—Application, January 24, 1930; withdrawn April 29, 1930; reopened and restored to Calendar October 10, 1933, under section 21 of the building zone resolution, of Jacob Rudd, applicant, on behalf of Metropolitan Savings Bank, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 97-107 Kenmare street and 15 Cleveland place, northeast corner (Block No. 481, Lot No. 7), Manhattan.

CAL. NO. 512-31-BZ—Application, October 19, 1931; withdrawn January 19, 1932; reopened and restored to Calendar November 14, 1933, under section 21 of the building zone resolution, of George Tiernan, applicant, on behalf of Regina Boulevard Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

CAL. NO. 343-33-BZ—Application, November 14, 1933, under section 21 of the building zone resolution, of Milton Kaplan, applicant, on behalf of Milton Kaplan and Katie Baum, owners, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Brooklyn.

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution,

tion, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

CAL. NO. 24-34-BZ—Application, January 29, 1934, under section 21 of the building zone resolution, of Goldie Harris, applicant and owner, to permit the extension from a business district into a residence district of a proposed theatre and store building; premises 3117-3127 Surf avenue, northeast corner of West 32nd street (Block No. 7049, Lot Nos. 51, 53 and 58), Brooklyn.

CAL. NO. 148-33-BZ—Application, April 19, 1933; withdrawn October 10, 1933; reopened and restored to Calendar January 3, 1934, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Noviak Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southwest corner of Hollis avenue and Cross Island boulevard (Block No. 1882, Lot No. 106), Hollis, Borough of Queens.

CAL. NO. 546-32-BZ—Application, October 31, 1932, under section 21 of the building zone resolution; denied February 3, 1933; reopened January 9, 1934, under section 7f of the building zone resolution, of Archie H. Samuels, applicant, on behalf of 88th Holding Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 3, 1934, 2 P. M.

Appeals from Administrative Orders.

13-34-A—985 Eight avenue (Block No. 1048, Lot No. 33), Manhattan.

45-34-A—112-116 Bleecker street (Block No. 524, Lot Nos. 47 and 49), Manhattan.

58-34-A—3484 Fulton street (Block No. 4152, Lot No. 26), Brooklyn.

60-34-A—Southeast corner of Locust avenue and East 134th street (Block No. 2583, Lot Nos. 365 and 369), The Bronx.

Appliance Submitted for Approval.

48-34-SA—Kolrid Range Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 3, 1934*, at 2 o'clock, in Room 1013, Municipal Building

CALENDAR

on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 308-33-BZ—Application, September 25, 1933, under section 21 of the building zone resolution, of Jacob E. Hurwitz, applicant, on behalf of Alice Fadool, owner, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use; premises 195 Prospect Park, West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Brooklyn.

CAL. NO. 198-33-BZ—Application, May 29, 1933; withdrawn July 18, 1933; reopened and restored to Calendar January 3, 1934, under section 21 of the building zone resolution, of John J. Hegarty, applicant, on behalf of Port of New York Authority, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises West side of Haven avenue, 217'4½" north of West 172d street (Block No. 2139, part of Lot Nos. 275 and 357), Manhattan.

CAL. NO. 284-32-BZ—Application, May 24, 1932; denied November 4, 1932, under section 7f of the building zone resolution; reopened December 27, 1933, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Rock Jay Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises west side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

CAL. NO. 8-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wardell Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 6, 1934, 2 P. M.

SPECIAL MEETING.

Rules

217-21-SR—Fuel Oil Rules, Proposed Revision of.

**CALL OF CLERK'S CALENDAR
MONDAY, APRIL 9, 1934, AT 2 P. M.**

Building Zone Cases.

607-31-BZ

APPLICANT—Archie H. Samuels, for Ben S. Michaelson, owner.

PREMISES—Northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar February 6, 1934).

37-34-BZ.

APPLICANT—Archie H. Samuels, for Stiroco Realty Corp., owner.

PREMISES—Southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

49-34-BZ.

APPLICANT—H. I. Feldman, for David Nussdorf, owner.

PREMISES—550-554 Bedford avenue, northwest corner of Ross street (Block No. 2181, Lot No. 33), Brooklyn.

APPLICATION, under section 7a of the building zone resolution,

TO PERMIT in a residence district the alteration and extension of an existing building used in part for business use.

59-34-BZ.

APPLICANT—Maxwell H. Lanes, for Estate of Charles A. Peabody, owner.

PREMISES—94-100 Clark street, 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores).

62-34-BZ.

APPLICANT—Henry G. Harrington, for Dagmar M. Clements, owner.

PREMISES—6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station.

APRIL 10, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 10, 1934, at 10 o'clock, in Room 1013, Municipal Building,* on the following matters:

CAL. NO. 373-33-BZ—Application, December 11, 1933, under section 21 of the building zone resolution, of Henry J. Nurick, applicant, on behalf of Michael Salit, owner, to per-

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mit in a business district the erection and maintenance of a gasoline service station; premises 176-192 Kings Highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

to junk shop; premises 273 Chester street, east side, 179 ft. 2 $\frac{3}{4}$ in. south of Blake avenue (Block No. 3560, Lot No. 12), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 10, 1934, at 2 o'clock*, in Room 1013, Municipal Building on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 327-33-BZ—Application, October 18, 1933, under section 21 of the building zone resolution, of Harold J. Crawford, applicant, on behalf of Nora Eberhardt, owner, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building; premises 21-17—30th avenue (Block No. 547 Lot No. 7), Astoria, Borough of Queens.

CAL. NO. 302-33-BZ—Application, September 18, 1933, under section 21 of the building zone resolution, of Frank Giorgio, Jr., applicant, on behalf of Antonio Monteleone and Rose Monteleone, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

CAL. NO. 345-33-BZ—Application, November 14, 1933, under sections 7b, 7c and 21 of the building zone resolution, of Walter Zeitz, applicant, on behalf of Walmere Realty Co., Inc., owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a building to be used for business use (stores); premises 3146 Heath avenue, south side, 117 ft. 8 in. west of Kingsbridge terrace (Block No. 3257, Lot No. 53), The Bronx.

CAL. NO. 353-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of Saul Goldsmith, applicant, on behalf of Ellen Martin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.

CAL. NO. 387-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of William Mulligan, applicant and owner, to permit in a residence district the alteration and change of occupancy of an existing dwelling so as to include a business use (store); premises 122-12 25th road (Block No. 218, Lot No. 29), College Point, Borough of Queens.

CAL. NO. 11-34-BZ—Application, January 22, 1934, under section 21 of the building zone resolution, of Joseph Walsh, applicant, on behalf of Harry Koggan, owner, to permit in a business district the change of occupancy of an existing premises

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

CAL. NO. 386-33-BZ—Application, December 28, 1933, under section 21 of the building zone resolution, of Marcus L. Bermann, applicant, on behalf of Ralph Horton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Eastern boulevard and Sound View avenue, through to Croes avenue (Block No. 3722, Lot No. 18), The Bronx.

CAL. NO. 368-33-BZ—Application, December 7, 1933, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Sonsam Corporation, owner, to permit partly in a business district and partly in a resident district, the erection and maintenance of a gasoline service station; premises Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

CAL. NO. 132-31-BZ—Application, March 19, 1931; dismissed for lack of prosecution, December 4, 1931; reopened and restored to Calendar, November 21, 1933, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wandil Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station and a motor vehicle repair shop; premises northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

CAL. NO. 116-33-BZ—Application, March 27, 1933; denied June 27, 1933; request for reopening withdrawn July 18, 1933; reopened Jan-

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uary 26, 1934, for reconsideration under new facts, under sections 7e and 21 of the building zone resolution, of Arthur F. Lamanda, applicant, on behalf of Katherine Alberti, owner, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ; premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

CAL. NO. 287-33-BZ—Application, September 6, 1933, under section 21 of the building zone resolution, of Fred Meier, applicant, on behalf of William Allan, owner, to permit in a business district the erection and maintenance of a gasoline service station; January 9, 1934, laid over for full vote of Board; restored to Calendar March 6, 1934; premises northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

CAL. NO. 597-32-BZ—Application, December 2, 1932, under section 21 of the building zone resolution, of Henry A. Urquhart, applicant, on behalf of John Wischerth, owner, to permit in a business district the erection and maintenance of a gasoline service station; denied October 17, 1933; remitted by Court for further consideration February 17, 1934; restored to Calendar March 6, 1934; premises 33-41 Stone avenue, southeast corner of McDougal street (Block No. 1535, Lot No. 1), Brooklyn.

CAL. NO. 348-33-BZ—Application, November 17, 1933, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Bleitborn Building and Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Brooklyn.

CAL. NO. 364-33-BZ—Application, December 5, 1933, under section 21 of the building zone resolution, of Joseph S. Gershman, applicant, on behalf of Maphi Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises northeast corner of Hillside avenue and Chelsea road (187th street); (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 379-33-BZ—Application, December 18, 1933, under section 21 of the building zone resolution, of Andrew Havrylok, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 79th street and

Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR MONDAY, APRIL 16, 1934, AT 2 P. M.

Building Zone Cases

1213-24-BZ.

APPLICANT—Chas. Schaefer, Jr., for T. & R. Construction Co., Inc., owner.

PREMISES—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously denied for a garage; reopened October 3, 1933).

68-34-BZ.

APPLICANT—Irving Kirshenblit, for Sarah Feman, owner.

PREMISES—384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type).

73-34-BZ.

APPLICANT—Michael Levine, for Karron & Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5" south of 20th avenue (Block No. 5464, Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station.

375-33-BZ.

APPLICANT—Martin J. Ort, for Dandern Realty Co., owner.

PREMISES—Southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

35-34-BZ.

APPLICANT—Samuel Roth, for Fannie Levy, owner.

PREMISES—74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

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1304-25-BZ.

APPLICANT—Samuel Fish, for Samuel Berman, owner.
PREMISES—2447 Coney Island avenue, east side, 301'1" north of Avenue V (Block No. 7343, Lot No. 61), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the change of occupancy of an existing building to a motor vehicle repair shop and, also, garage for five (5) motor vehicles (reopened March 20, 1934).

APRIL 17, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 17, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 28-34-BZ—Application, January 31, 1934, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Nac Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.

CAL. NO. 396-30-BZ—Application, June 14, 1930; withdrawn September 30, 1930; reopened December 5, 1933, under section 21 of the building zone resolution, of Benjamin Baser, applicant, on behalf of Isidor Schraub and Celia Silverman, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises 65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 21), Woodside, Borough of Queens.

CAL. NO. 383-33-BZ—Application, December 27, 1933, under section 21 of the building zone resolution of Aaron G. Alexander, applicant, on behalf of Matin Realty, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos. 1, 8 and 11), The Bronx.

CAL. NO. 15-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of Julius Auserehl, applicant and owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1934, 2 P. M.

Petitions for Variations.

336-33-S—435-445 Fulton street and 408-420 Jay street, northwest corner (Block No. 150, Lot No. 1), Brooklyn.

61-34-S—91-95 Harrison place (Block No. 2998, Lot No. 45), Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 17, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 380-33-BZ—Application, December 19, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Frank Teltsch, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

CAL. NO. 382-33-BZ—Application, December 26, 1933, under section 21 of the building zone resolution, of Andrew Yablonsky, applicant and owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop; premises southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

CAL. NO. 3-34-BZ—Application, January 10, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Estate of Jonas Weil, owner, to permit in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles which is located in an unrestricted district; premises 229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot Nos. 13, 49, 50 and 51), Manhattan.

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1934, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

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of the building zone resolution, *Tuesday morning, April 24, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 42-34-BZ—Application, February 14, 1934, under section 21 of the building zone resolution, of Jack Jacobson, applicant, on behalf of Emdee Management, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Brooklyn.
HARRIS H. MURDOCK, *Chairman*.

MAY 1, 1934, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the board of stand-

ards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 1, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 6-34-BZ—Application, January 17, 1934, under sections 7a, 7e and 21 of the building zone resolution, of Harry A. Yarish, applicant, on behalf of Allan A. Kurtz, owner, to permit in a business district the erection and maintenance of stables for more than five (5) horses; premises 507-511 Foster avenue, north side, 178'6¾" west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.
HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MARCH 27, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

The minutes of the Special Meeting of the Board held on Friday afternoon, March 16, 1934; the minutes of the regular meeting of the Board held on Tuesday morning, March 20, 1934 and the minutes of the regular meeting of the Board held on Tuesday afternoon, March 20, 1934, were approved as printed in Bulletin No. 13, Vol. XIX.

BUILDING ZONE CASES.

348-33-BZ.

APPLICANT—Samuel Rosenblum, for Bleitborn Building and Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: Daniel F. McLaughlin, A. P. McManus, Patrick Hammill, Charles Tilgner.

ACTION OF BOARD—Laid over to April 10, 1934, at 2 P. M., for report of committee on inspection. No further argument.

364-33-BZ.

APPLICANT—Joseph S. Gershman, for Maphi Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

PREMISES AFFECTED—Northeast corner of Hillside avenue and Chelsea road (187th St.), Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Joseph S. Gershman.

For Opposition: None.

ACTION OF BOARD—Laid over to April 10, 1934, at 2 P. M., for report of committee on inspection. No further argument.

379-33-BZ.

APPLICANT—Andrew Havrylok, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Andrew Havrylok, Oscar Goldschlag, A. Schnurmacher.

For Opposition: Edward J. Victory, Josef Basta, L. D. Bell, Frank Lutz, Gertrude Searles.

ACTION OF BOARD—Laid over to April 10, 1934, at 2 P. M., for report of committee on inspection. No further argument.

382-33-BZ.

APPLICANT—Andrew Yablonsky, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—Southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: John P. Andreanow, Charles Wille.

For Opposition: Charles Haje, John Ballschuss.

ACTION OF BOARD—Laid over to April 17, 1934, at 2 P. M., to file correct plans; hearing to be continued.

3-34-BZ.

APPLICANT—William Shary, for Estate of Jonas Weil, owner.

MINUTES

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles, which is located in an unrestricted.

PREMISES AFFECTED—229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot No. 13, 49, 50 and 51), Manhattan.

APPEARANCES—

For Applicant: William Shary, Philip Scheiner.

For Opposition: None.

ACTION OF BOARD—Laid over to April 17, 1934, at 2 P. M., for report of committee on inspection. No further argument.

8-34-BZ.

APPLICANT—Kennedy & Ellner, for Wardell Holding Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Thorn.

For Opposition: None.

ACTION OF BOARD—Laid over to April 3, 1934, at 2 P. M., on request of applicant's representative.

97-30-BZ.

APPLICANT—Chas. Tolleris, for 5612-18th Avenue Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the installation of a gasoline service station (previously granted April 22, 1930, for a motor vehicle repair shop; reopened September 19, 1933); (previously granted February 3, 1925, under Cal. No. 1266-24-BZ, for a milk distributing station).

PREMISES AFFECTED—5612-5614 18th avenue (Block No. 5493, Lot No. 40), Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Louis Isnardi, Jacob Krackow, Frank Lutz.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative

Absent

993-26-BZ.

APPLICANT—Jacob A. Freedman, for Leo Schumer, present owner.

SUBJECT—Application for reopening—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5911-5921 22nd avenue (Bay parkway); (Block No. 6548, part of Lot No. 1), Brooklyn.

APPEARANCES—

For Applicant: Jacob A. Freedman, Michael Levine.

ACTION OF BOARD—Application reopened, to be set for calendar, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney

Negative

Absent

608-29-BZ.

APPLICANT—Sanford Smith, for Reilly & Hershey, lessees; City of New York, owner.

SUBJECT—Application for Reopening—Extension of Permit—re Application (decisions of the superintendent of buildings and the fire commissioner) under sections 7-G and 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—401-407 West 207th street and 3876-3882 9th avenue, northwest corner (Block No. 2204, part of Lot No. 1), Manhattan.

APPEARANCES—

For Applicant: Sanford Smith.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney

Negative

Absent

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney

Negative

Absent

THE RESOLUTION—

(608-29-BZ)

WHEREAS, this application affecting premises 401-407 West 207th street and 3876-3882 9th avenue, northwest corner (Block No. 2204, part of Lot No. 1), Borough of Manhattan, was granted by the board for a temporary period of two years under section 7 subdivision F, January 7, 1930, and the period extended a further period from January 7, 1932, and applicant now requests a further extension, for a small plot.

Resolved, that the resolution adopted January 7, 1934, be amended extending the time for a further temporary period of two years from the date of this action, under section 7-F of the building zone resolution, for the plot of the revised dimensions as indicated on plans marked "Received March 26, 1934," on condition that no additional buildings shall be erected other than the one-story office now existing and that no pumps shall be erected nearer than 10 feet to either street building line, and that this gasoline station shall be operated in conjunction with the private garages on the adjacent plot, variance for which for a temporary period was granted by the Board under Cal. No. 678-30-BZ.

410-31-BZ.

APPLICANT—Edward L. Kelly, for Louise De Vito, owner.

SUBJECT—Application for reopening—extension of permit—re Application (decision of the superintendent of buildings), under section 7-F of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—175-14 Horace Harding boulevard, south side, 117.71 ft. west of Utopia parkway (Block No. 2661, Lot No. 26), Flushing, Borough of Queens.

MINUTES

APPEARANCES—

For Applicant: Edward L. Kelly.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(410-31-BZ)

WHEREAS, this application affecting premises 175-14 Horace Harding boulevard, south side, 117.71 ft. west of Utopia parkway (Block No. 2661, Lot No. 26), Flushing, Borough of Queens, was granted by the board for a temporary period of two years under section 7, subdivision F, April 29, 1932, and applicant requests an extension of the period.

Resolved, that the resolution adopted April 29, 1932, be amended, so that as amended it will read, granted for a temporary period of two years, under section 1, subdivision F, from the date of this amended resolution, *on condition* that other than as amended herein the resolution of the Board adopted on April 29, 1932, shall be complied with in all respects.

604-31-BZ.

APPLICANT—Michaelson & Bernknopf, for Hudson Realty Co., Inc., owner; request for reopening made by the owner.

SUBJECT—Application for reopening—extension of permit and extension of time—re Application (decision of the superintendent of buildings), under section 7-F of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Main street and Nassau boulevard (Block No. 2104, Lot No. 25), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Nicholas Dyruff.

ACTION OF BOARD—Application reopened, permit extended and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO EXTEND PERMIT AND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(604-31-BZ)

WHEREAS, this application, affecting premises northwest corner of Main street and Nassau boulevard (Block No. 2104, Lot No. 25), Flushing, Borough of Queens, was granted by the Board at its meeting April 8, 1932, on certain conditions, and applicant requests an extension of the time limit imposed for obtaining permits and to complete the work, and also of the period of the temporary variance.

Resolved, that the resolution of the Board adopted on April 8, 1932, only so far as it has to do with obtaining of permits and completion of work, and the period involved,

be amended, so that as amended the resolution shall read:

... All permits shall be obtained within six months and all work shall be completed within one year from the date of this amended resolution.

and that the temporary variance be extended for a period of two years from the date of this amended resolution; that the resolution of the Board of April 8, 1932, shall be complied with in all other respects.

695-29-BZ.

APPLICANT—Louis Curcio, for Hulon Realty Corporation, present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 7-F of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Wilkinson avenue and Westchester avenue (Block No. 4235, Lot Nos. 36 and 38), The Bronx.

APPEARANCES—

For Applicant: Beatrice L. Fliegel, Louis Curcio.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum 4
Negative: Assistant Chief Kidney 1
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum 4
Negative: Assistant Chief Kidney 1
Absent 0

THE RESOLUTION—

(695-29-BZ)

WHEREAS, this application, affecting premises Southwest corner of Wilkinson and Westchester avenues (Block No. 4235, Lot No. 36-38), Borough of The Bronx, was granted by the Board October 7, 1930, on certain conditions, amended October 22, 1931, April 8, 1932 and September 23, 1932, and applicant requests a further amendment.

Resolved, that the resolution adopted by the Board on September 23, 1932, only so far as it refers to the curbing to be erected on the street building line of Wilkinson avenue and Westchester avenue, and to permit the erection of a single car garage be amended so that as amended this portion of the resolution will read:

that a concrete curbing not less than 12 inches in height and 12 inches in width, shall be erected along the Westchester and Wilkinson avenue building lines; with no opening to Wilkinson avenue and two openings only to Westchester avenue (with no portion of an opening within five feet of the corner), each opening not to exceed 25 feet in width with curb cuts directly in front of these openings not more than 30 feet in width; that there may be constructed and maintained on the rear of the plot a one-story metal private garage in addition to the buildings shown on the plans filed with this appeal; this metal garage to be used solely for the storage of the owner's car; that the resolution adopted by the Board on September 23, 1932, shall be otherwise complied with in all respects.

216-29-BZ.

APPLICANT—Abram Shlefstein, for Helen Eckerman, present owner.

SUBJECT—Application for reopening—extension of permit—re Application (decision of the superintendent of buildings) under section 7-F of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

MINUTES

PREMISES AFFECTED—Southwest corner of Nassau boulevard and Little Neck road (Block No. 4108, Lot No. 100), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Abram Shlefstein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative: 0
Absent 0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative: 0
Absent 0

THE RESOLUTION—

(216-29-BZ)

WHEREAS, this application, affecting premises Southwest

corner of Nassau boulevard and Little Neck road (Block No. 4108, Lot No. 100), Little Neck, Borough of Queens, was granted by the Board under section 7, subdivision F, for a temporary period of two years, May 28, 1929 on certain conditions, and the period extended April 26, 1932, after a further public hearing under section 7, subdivision F, and applicant requests a further extension of the temporary period of variance.

Resolved, that the resolution of the Board adopted on April 26, 1932, be amended, to permit an extension of the temporary permit granted under section 7-F of the building zone resolution, for a period of two years from the date of this amended resolution, on condition that other than as amended herein the resolution adopted by the Board on May 28, 1929, shall be complied with in all respects.

Adjourned, 1:15 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 27, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

378-33-BZ.

APPLICANT—Rubenstein and Rosling, for Kings Brewery, Inc., owner.

SUBJECT—Application (re decision of the commissioner of bldgs.) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building).

PREMISES AFFECTED—225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

APPEARANCES—

For Applicant: George Rosling.

For Opposition: Charles H. Levy.

ACTION OF BOARD—Laid over to April 17, 1934, at 2 P. M., for filing of corrected plans.

550-31-BZ.

APPLICANT—Request for reopening made by Harry Serper, attorney for Lena E. Batchis, owner.

SUBJECT—Request for reopening—reconsideration under new facts—re Application (decision of the supt. of bldgs.) under section 21 of the building zone resolution, to permit in a residence use district the erection of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—2838-2846 West 2nd street, west side, 106' 13 1/4" north of Neptune avenue (Block No. 7257, Lot No. 42), Brooklyn.

APPEARANCES—

For Applicant: Harry Serper.

ACTION OF BOARD—Request to reopen—denied.

THE VOTE TO REOPEN—

Affirmative 0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Absent 0

THE RESOLUTION—

(550-31-BZ)

WHEREAS, this request for reopening was the subject of an inspection by a Committee of the Board, which inspection was made and report of same read at this hearing; and

WHEREAS, this report recommends denial of this reopening.

Resolved, that the request for reopening be and it hereby is *denied*.

272-30-BZ.

APPLICANT—Jacob A. Freedman, for Rubel Corporation, present owner.

SUBJECT—Request for reopening—reconsideration under new facts—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—923-943 East New York avenue, 440-446 Utica avenue and 872-884 Lefferts avenue (Block No. 1430, Lot No. 34), Brooklyn.

APPEARANCES—

For Applicant: Jacob A. Freedman, Michael Levine.

ACTION OF BOARD—Request to reopen—denied.

THE VOTE TO REOPEN—

Affirmative 0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Absent 0

THE RESOLUTION—

(272-30-BZ)

WHEREAS, this application affecting premises 440-446 Utica avenue, 923-943 East New York avenue and 872-884 Lefferts avenue (Block No. 1430, Lot No. 34), Borough of Brooklyn, was denied by the Board February 10, 1931, and present applicant on behalf of present owner requested a reopening of the case; and

WHEREAS, a committee of the board inspected these premises and found no basis of new facts and the board deemed that no new facts were presented to substantiate the reopening and rehearing of this application.

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Resolved, that the request for reopening be and it hereby is *denied*.

457-30-BZ.

APPLICANT—Frank Caraccia, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar September 12, 1933.)

PREMISES AFFECTED—Southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Richmond.

APPEARANCES—

For Applicant: None.

For Opposition: Kariema Tahan.

ACTION OF BOARD—Request to withdraw—denied; and application denied.

THE VOTE TO WITHDRAW—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant
Chief Kidney 5

Absent 0

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant
Chief Kidney 5

Absent 0

THE RESOLUTION—

(457-30-BZ)

WHEREAS, Frank Caraccia, owner, filed June 27, 1930; withdrawn October 21, 1930; reopened September 12, 1933; an application under the building zone application to permit in a business district the erection and maintenance of a gasoline service station; premises: Southwest corner of Hylan boulevard and Barclay avenue (Block No. 6398, Lot No. 9), Annadale, Borough of Richmond, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hylan boulevard, Barclay avenue and Allen place are all in a business district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered December 1, 1933, reads:

"Your Application New Building No. 594/1933 filed November 29, 1933, to erect a gasoline filling station on premises s. s. Hylan boulevard (No. 4840) west corner Barclay avenue, Annadale, Borough of Richmond, for Frank Caraccia, owner, is hereby disapproved; it being contrary to erect a gasoline filling station in a business zone."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 40' on Hylan boulevard and 101 feet on Barclay avenue—upon which it is proposed to erect a one story office and salesroom, 20' by 20' in area and also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 457-30-BZ.

Premises: S. W. corner Hylan boulevard and Barclay avenue, Annadale, Borough of Richmond.

This is an application for a zoning variance to permit a gasoline service station on a corner plot ap-

proximately 40' x 100' in a business zone. It is in an area known as Annadale Gardens, Inc., which apparently was a proposed residential development on both sides of Hylan boulevard and in which a number of residential buildings have been constructed. There are no existing non-conforming uses in the immediate area and there is no need for a gas station, as a number of stations are available within a reasonable distance.

In the opinion of the Committee of Inspection which visited the premises on March 22, 1934, granting of this variation would be undesirable and would deter the future development of this area which should be rezoned for residence use and which is a very desirable location as it is adjacent to the Bay. A recent case, Calendar No. 320-1933-BZ, denied on February 27, 1934, was located on Hylan boulevard a few blocks to the south, and, while that location was in a somewhat more settled residential area, similar reasons exist for denying the appeal.

No hardship or practical difficulty has been shown. The owner has undoubtedly been put to considerable expense to carry the vacant property and desires to find some use that will carry the property. The Committee is of the opinion that such use should not be granted as will cause hardship on the adjoining section more than offsetting the advantage that the permit if granted would accrue to the applicant. Denial is recommended.

(Signed) H. H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, applicant requested a withdrawal of the application, which was denied by vote of the board; and

WHEREAS, the report of the committee of inspection recommended the denial of the application and the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the Commissioner of Buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

356-33-BZ.

APPLICANT—Jack Fein, for Enmor Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a residence district and partly in a business district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—1919-1929 Avenue V and 2628-32 Ocean avenue, northwest corner (Block No. 7352, Lot Nos. 41 and 42), Brooklyn.

APPEARANCES—

For Applicant: James S. Kleinman.

For Opposition: None.

ACTION OF THE BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant
Chief Kidney 5

Absent 0

THE RESOLUTION—

(356-33-BZ)

WHEREAS, Jack Fein, for Enmor Realty Corp., owner, filed November 21, 1933, an application under the building zone application to permit partly in a residence district and partly in a business district, the erection and maintenance of a business building (stores); premises: 1919-

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1929 Avenue V and 2628-2632 Ocean avenue, northwest corner (Block No. 7352, Lot Nos. 41 and 42), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean avenue is in a residence district; Avenue V is in a business district; E. 19th street is in residence and business districts; and

WHEREAS, the decision of the Commissioner of Buildings, rendered reads:

(App. No. 11798-1933)

"Proposed stores to be located partly in a residential and partly in a business use district are contrary to Art. II, Sec. 3 of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60' on Ocean avenue and 111'6" on Avenue V. The westerly part of the plot extends into the business district for a distance of 11'6"—the remainder of the plot is in the residence district; proposes to occupy the entire plot with a one story structure to be used as stores; and

WHEREAS, the premises under appeal was the subject of an inspection by a Committee of the Board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 356-33-BZ.

Premises: 1919-29 Avenue V and 2628-32 Ocean avenue, Brooklyn.

The site under appeal is at the Northwest corner of Ocean avenue and Avenue V. Ocean avenue is zoned residence through this section, while Avenue V is zoned for business use. The plot in question has 60' of frontage along Ocean avenue and 111' along Avenue V, of which 11 feet toward the west is in the business area. Avenue V although zoned for business is almost exclusively residential particularly westward from the corner in question. There are several nonconforming uses along Ocean avenue. There are three gasoline stations on the opposite side, one towards Avenue V and two at the corner of Neck road. All of these were either in existence prior to 1925 or extended by action of the Board or by the Court after denial by the Board, under Cal. Nos. 307-24-BZ, 1426-23-BZ and 926-28-BZ. The latter case was granted by the Court upon review of the Board's denial.

Avenue U is the main cross street that is highly developed with business uses and Avenue V has not developed toward business, there being only one business building nearby at the corner of Elmore place, two blocks to the east. It is to be noted that under Cal. No. 1225-25-BZ, the Board granted permission for stores in an apartment building on Ocean avenue across Avenue V from this site under appeal, but the building has been constructed without the stores, indicating that the residential character of the neighborhood did not justify the business occupancy.

In the opinion of the Committee which inspected this property on March 22, 1934, the residential character should be maintained and, now that it is established, further inroads of business should be discouraged. At the hearing several objectors learned apparently for the first time that Avenue V was zoned for business and it was suggested that they should file a petition with the Board of Estimate for change of zone to residence, with which petition the Committee of Inspection would be in accord.

The hardship claimed by the applicant is entirely financial which undoubtedly is distressing, but in the

opinion of the Committee there is no hardship or practical difficulty shown to prove that the plot cannot be developed with a conforming use. Even with the proposal of the applicant to have no store openings on Ocean avenue, the Committee recommends that this application be denied as in their opinion more hardship would be caused adjoining owners than the benefit that might come by the Board's grant to this applicant.

(Signed) HARRIS H. MURDOCK,
Chairman.

VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate the basis of his application under section 21.

Resolved, that the decisions of commissioner of buildings be and they hereby are *affirmed*, and that the application be and it hereby is *denied*.

354-33-BZ

APPLICANT—Joseph B. Schwartz, for Edlar Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), The Bronx.

APPEARANCES—

For Applicant: Joseph B. Schwartz.

For Opposition: Richard J. Casey, P. J. Growney, Mrs. D. R. Lamont and William R. Mundno.

ACTION OF BOARD—Request to withdraw denied; application denied.

THE VOTE TO WITHDRAW—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant
Chief Kidney 5

Absent 0

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant
Chief Kidney 5

Absent 0

THE RESOLUTION—

(354-33-BZ)

WHEREAS, Joseph B. Schwartz, for Edlar Realty Corp., owner, filed November 21, 1933, an application under the building zone application to permit in a residence district the erection and maintenance of a gasoline service station; premises: Northwest corner of Bailey avenue and Van Cortlandt Park South (Block No. 3271, Lot No. 45), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Van Cortlandt Park South, Bailey avenue and Orloff avenue are all in a residence district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered November 8, 1933 (re N. B. 150-33) reads:

"1. Erection of building and maintenance of premises in residence district for use as gasoline service

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station is contrary to provisions of Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 95 ft. 11 in. on Bailey avenue and approximately 140 ft. on Van Cortlandt Park South, upon which it is proposed to erect a one-story structure, 30 ft. by 66 ft., for greasing pits and offices and, also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, a request to withdraw this application made at this hearing was denied by vote of the Board; and

WHEREAS, the premises under appeal was the subject of an inspection by a committee of the board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 354-33-BZ.

Premises: Northwest corner Bailey avenue and Van Cortlandt Park South, The Bronx.

The site under appeal was inspected by a Committee of the board on March 22, 1934. The premises on which a variance is requested for a gasoline service station are located in a residence zone at the intersection of Bailey avenue and Van Cortlandt Park South and across from Van Cortlandt Park. Nearby the land is vacant but within the area and just beyond the area of notification are apartment buildings of comparatively recent construction; and the owners of the vacant property who are in objection prefer to see this section remain for residential development. Owing to improvements in the surrounding thoroughfares during the last few years, the properties nearby are more available for residential development than previously, and, with the nearness to Van Cortlandt Park and transportation both by railroad and subway, this section should make a very desirable residential section. A gas station which is prohibited in a business district has no place in a district zoned for residence. The consensus of opinion seems to be that the section is properly zoned for residential use.

Whatever hardship is claimed is financial, although it is also claimed that the shape of the plot does not make a conforming use possible. The committee disagrees with this latter contention and finds that no hardship or practical difficulty has been proven. The applicant admits his client purchased the property for gasoline station purposes and hoped to overcome objections by constructing a station that would beautify the section. While the committee believes that gasoline stations can be so constructed, landscaped and maintained as materially to reduce the objection to their presence, it cannot agree that they should be located in residential areas.

The recommendation of the Committee is that the application be denied.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had not substantiated the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

357-33-BZ.

APPLICANT—DeRose and Cavalieri, for Ida M. Hewitt, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building

zone resolution, to permit in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station.

PREMISES AFFECTED—3349-3357 East Tremont avenue, east side, 75 ft. south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: George J. Cavalieri, George Hewitt.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(357-33-BZ)

WHEREAS, De Rose and Cavalieri, for Ida M. Hewitt, owner, filed, November 20, 1933, an application under the building zone application to permit in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station; premises: 3349-3357 East Tremont avenue, east side, 75 ft. south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Baisley avenue is in a business and residence district, East Tremont avenue is in a business, residence and unrestricted district, Haskin street is in a business and residence district and Edison avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 10, 1933, re Alt. 474-1933, reads:

"1. Proposed alteration and conversion of existing public garage and repair shop for motor vehicles in business district to be occupied partly as gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 116.9 feet and a depth of 155.4 feet (maximum). It is proposed to remove part of the street walls of the existing structures—rebuild them back of the street line and use the intervening space (90 ft. by 40 ft., irregular in area) as a gasoline service station. It is proposed, also, to install grease pits in the southerly structure; and

WHEREAS, this application was the subject of an inspection, which inspection was made and report of same read at this hearing; and

WHEREAS, this report recommended that application be granted and the board deemed that applicant had substantiated his basis of appeal under section 21.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, permitting the existing building to the north to be used as a public garage as granted by the board under Cal. No. 274-26-BZ, and permitting the building to the south to be used as an automobile repair shop under the conditions imposed by the board in Cal. No. 1560-22-BZ and permitting the front portion of this building to be altered substantially in accordance with the plans filed with this appeal, marked

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"Received November 20, 1933", so as to provide an alcove gasoline selling station, *on condition* that this gasoline selling service station area shall not be roofed over; that there shall be constructed along the southerly lot line a masonry wall for the full height of building, not less than 12 in. in thickness, and with no openings therein except one door toward the rear, as indicated, which opening shall be protected with fireproof door; that the gasoline pumps erected in the gasoline service station area shall be not nearer than 10 ft. to the street line, not nearer than 5 ft. to any portion of the building; that the boiler room shall be entirely separated from the gasoline selling area and the balance of the building by approved masonry construction and enterable only from the exterior; that there shall be no excavation or open cellar under any portion of the building other than for the boiler room and for the pits of the greasing section; that the section of building for greasing pits, as indicated, shall be constructed with the front left open; that there shall be no curb cuts in addition to existing three (3) curb cuts and that no curb cut shall exceed 12 ft. in width; that there shall be no portable gasoline tanks used on or from the property; that signs advertising non-conforming use shall be confined to the illuminated globes of the gasoline pumps and to a flat sign attached to face of building, excluding roof signs and signs extending beyond the building line; that the lot line walls at the north shall be unpunctured throughout; that the rear walls shall be of approved masonry, and where openings occur they shall be protected with fireproof doors or fireproof sash, glazed with wire glass; that the conditions imposed by the board under Cal. No. 274-26-BZ and Cal. No. 1560-22-BZ shall be complied with in all respects other than as may be amended by this resolution; and that all permits shall be obtained within three months and all work completed within nine months from the date of this resolution.

376-33-BZ.

APPLICANT—Clifford F. Hart, for Benjamin G. Hitchings Lumber Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop.

PREMISES AFFECTED—3202-3224 Avenue H, south side, from East 32nd street to New York avenue (801-821 East 32nd street and 1676-1696 New York avenue); (Block No. 7578, Lot Nos. 53 and 57), Borough of Brooklyn.

APPEARANCES—

For Applicant: Clifford F. Hart.

For Opposition: Thomas E. Brownlee, Paul Cordasco.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(376-33-BZ)

WHEREAS, Clifford F. Hart, for Benjamin G. Hitchings Lumber Corp., owner, filed, December 13, 1933, an application under the building zone application to permit partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and, also, a motor vehicle repair shop; premises: 3202-3224 Avenue H, south side, from East 32nd

street to New York avenue (Block No. 7578, Lot Nos. 53 and 57), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Avenue H is in a business district, East 32nd street is in a residence and unrestricted district and New York avenue is in a residence and unrestricted district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered January 9, 1934, re Applic. No. 14220-33, reads:

"Proposed public garage for more than five motor vehicles, gasoline service station and automobile repair shop, to be located partly in an unrestricted and partly in a business use district are contrary to Article II, Section 4A of Zone Resolution."

and

WHEREAS, the building is to be of fireproof construction, one story and basement in height, with a frontage of 205 feet on Avenue H and 177 feet 6 inches on New York avenue and also on East 32nd street, to be occupied as a garage for more than five motor vehicles, a motor vehicle repair shop and a gasoline service station. The southerly portion of the plot extends into the unrestricted district for a distance of 77 ft. 6 in., the remainder of the plot is in the business district; and

WHEREAS, this application was the subject of an inspection by committee of the board, which inspection was made and report of same read at this hearing; and

WHEREAS, this report recommends that application be granted, and the board deemed that applicant had substantiated his appeal under section 21.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the building shall cover the entire plot and shall be of fireproof construction, one story and cellar in height, generally in conformity with the design as indicated on plans filed with this appeal; that that portion of the building above grade and located in the area zoned for business shall be used for conforming use only; that that portion of the building erected in the unrestricted area and in the business area below grade may be used for a garage for more than five automobiles and for the sale of gasoline *on condition* that no gasoline shall be sold except within the garage portion and only for supplying those cars that are housed therein; that no automobile repairing shall be carried on other than in that part of the building located within the unrestricted area; that there shall be erected within the 1st story of the building, on the line between the area zoned for business and the area zoned for unrestricted use, an unpunctured brick wall from floor to roof; that there shall be no portable gasoline pumps used on or from the property; that the boiler room (if any) shall be within the unrestricted area and separated from the balance of the building by approved masonry and enterable only from the exterior; that there shall be no openings in the wall to the south between this proposed building and the adjacent ice plant; that there shall be no signs advertising non-conforming use in or on the building within the business district; that there shall be no entrance for vehicles to the garage portion from the business area or streets adjoining same; that plans shall be submitted to this board and approved by the chairman in behalf of the board before same are filed with the Commissioner of Buildings; and that all permits shall be obtained within six months and all work completed within one year from the date of this action.

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414-20-BZ.

APPLICANT—James R. Ashley, for Ashley and Booth, for Mark Ash, owner.

SUBJECT—Application for consideration—reopening, extension of temporary permit, previously laid over for full vote of board, re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, to permit on a plot of ground in a residence district the erection and maintenance for a temporary period of eighty (80) individual garages to be rented to persons not residing on the premises.

PREMISES AFFECTED—Southwest corner of West 186th street and Laurel Hill Terrace (Block No. 2149, Lot No. 84), Borough of Manhattan.

APPEARANCES—

For Applicant: James R. Ashley.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(414-20-BZ)

WHEREAS, this application, affecting premises southwest corner of 186th street and Laurel Hill terrace (Block No. 2149, Lot No. 84), Borough of Manhattan, was granted by the board July 20, 1920, for a temporary period of two years under section 7, subdiv. f, and the period extended July 11, 1922, July 15, 1924, September 22, 1925, September 20, 1927, October 2, 1928, and September 24, 1929, and applicant requests a further extension.

Resolved, that the resolution of the board adopted on September 24, 1929, be amended so far as it has reference to the period for which the zoning variance is granted, so that as amended that portion of the resolution will read:

"Granted for a temporary period of two (2) years from the date of this action under section 7, subdivision 'f' on condition that the single-car garages shall be limited to eighty (80) and that there shall be no gasoline sold on the premises; that any existing gasoline selling equipment above grade shall be removed and the equipment below grade permanently sealed.

1054-23-BZ.

APPLICANT—Frank R. Hewitt, owner.

SUBJECT—Application for reopening—extension of permit—re application (order of the fire commissioner), to permit in a residence district the maintenance of a garage for the storage of three (3) pleasure motor vehicles, three spaces rented to persons not residing on the premises.

PREMISES AFFECTED—2250 Aqueduct avenue (Block No. 3208, Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank R. Hewitt.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(1054-23-BZ)

WHEREAS, this application affecting premises 2250 Aqueduct avenue (Block No. 3208, Lot No. 31), Borough of The Bronx, was granted by the board under section 7, subdivision g, for a temporary period, February 5, 1924, and the period extended, April 27, 1926, May 1, 1928, and April 23, 1929, and applicant requests a further extension.

Resolved, that the resolution of the board adopted on April 23, 1929, only so far as it has to do with the period for which the temporary variance is granted, be amended so that as amended the last clause of the resolution shall read:

"that this permission shall be granted under section 7, subdivision 'g', for a temporary period of two years from the date of this action on condition that the garage in the rear shall be limited to two (2) automobiles of the pleasure-car type and that the garage at the front shall be limited to one such car, and permitting these three (3) garage spaces to be rented to persons not residing on the premises, and that other than as amended herein the conditions in the resolution adopted April 23, 1929, shall be complied with in all respects."

APPEALS FROM ADMINISTRATIVE ORDERS.

377-33-A.

APPELLANT—Fred Weber, for Antionette Weber, owner.

SUBJECT—Appeal from an order of the fire commissioner and a decision of the commissioner of buildings.

PREMISES AFFECTED—116-09 to 116-11 15th avenue (Block No. 107, Lot Nos. 41 and 26), College Point, Borough of Queens.

APPEARANCES—

For Appellant: Fred Weber.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(377-33-A)

WHEREAS, Fred Weber, for Antoinette Weber, owner, filed, December 13, 1933, an appeal from an order of the fire commissioner and a decision of the commissioner of buildings, affecting premises 116-09 to 116-11 15th avenue (Block No. 107, Lot Nos. 41 and 26), College Point, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated October 24, 1933, re Order No. 61595-LC, reads:

"You are hereby notified that an inspection of the above premises, used as Non-Storage Garage, shows that the following must be done before the permit requested by you can be issued:

"FORTHWITH

"1. Discontinue the maintenance of a garage in the above premises as same is of metal construction having an area of 5,000 square feet. Violation of Section 74, Article 5, of Building Code.

MINUTES

"Please notify this department promptly when this order has been complied with. It is unlawful for you to maintain Non-Storage Garage without a permit."

and

WHEREAS, the decision of the commissioner of buildings, dated November 24, 1933, reads:

"Responding to your request of November 2, 1933, for a Certificate of Occupancy to cover the storage of automobiles at premises located at 116-09 and 116-11 Fifteenth avenue, College Point, Borough of Queens, please be advised that my inspector noted affidavits filed and, after making an investigation of this matter, reported to me the conditions he found, and as a result, I wish to advise you that to approve use of building as a garage in view of construction and area of same, would be in violation of the Building Code. I therefore hereby deny your request for a Certificate of Occupancy to cover storage of automobiles at these premises."

and

WHEREAS, the building is of frame construction, metal covered, one story (21 ft.) in height, 50 ft. by 100 ft. in area; OCCUPIED as a non-storage garage; located within an unrestricted use district; and

WHEREAS, the appellant claims the building was erected in 1915, no certificate of occupancy has been issued; the westerly side wall is a party wall with a similar frame building of the same size; each building is entirely enclosed with corrugated sheet iron of No. 26 gauge, the side walls are 12 ft. in height, the end walls are 21 ft. at highest point; the building was used for the storage of metal building materials by the Superior Steel Door and Trim Company until about October of 1932; it is now occupied as a garage; due to the fact that this building was erected prior to section 74 of the building code becoming effective, the board is requested to permit the occupancy of a non-storage garage for the storage of ten (10) motor vehicles; furthermore, the appellant contends that under the economic conditions the owner would suffer an undue hardship in meeting the carrying charges if prevented the use of the building as requested; and

WHEREAS, this appeal was the subject of an inspection by a committee of the board.

Resolved, that the order of the fire commissioner and the decision of the commissioner of buildings be and they hereby are *affirmed*, and that the appeal be and it hereby is *denied*.

31-34-A.

APPELLANT—Ansonia Fire Prev. Eng. Co., for Hewitt Realty Company, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—395-401 Fourth avenue and 100-112 East 28th street (Block No. 883, Lot No. 88), Borough of Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(31-34-A)

WHEREAS, Ansonia Fire Prev. Eng. Co., for Hewitt Realty Company, owner, filed, February 6, 1934, an appeal from an order and a decision of the commissioner of buildings affecting premises 395-401 Fourth avenue and

100-112 East 28th street (Block No. 883, Lot No. 88), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated December 12, 1933, Order No. 7566-F, reads:

"1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Sections 580-1, Chapter 5, Code of Ordinances and Rule 91 of the Board of Standards and Appeals."

and

WHEREAS, the decision of the commissioner of buildings, dated February 1, 1934, reads:

"In reference to your request to rescind Order No. 7566-F, requiring as follows:

"Items 1. Raise the standpipe gravity tank so that the bottom of the tank is not less than 20 ft. above the hose outlet in the highest story. Sections 580-1, Chapter 5, Code of Ordinances and Rule 91 of the Board of Standards and Appeals.

"You are advised that as the building exceeds 85 ft. 0 in. in height and the standpipe tank is less than 20 ft. 0 in. above the top story hose outlet, your request must be denied."

WHEREAS, the building is fireproof, 12 stories in height, 125 ft. by 98 ft. 9 in. in area OCCUPIED as a tenant factory, not more than 150 persons per story; and

WHEREAS, the appellant claims that the existing standpipe system was installed when the building was erected in 1909 and has been acceptable to the authorities having jurisdiction ever since, fed from a 7,000 gallon gravity tank which is divided into two sections; one section of 3,500 gallons capacity is used strictly for the standpipe system, the overflow from this section fills the other section which is used for the house supply; the tank is located in a fireproof pent house, the bottom of which is 8 ft. 2 in. above the hose outlet of the highest story; in addition to the standpipe system the building is equipped with a sprinkler system, fed from two gravity tanks of 13,000 gallons each, two pressure tanks of 7,500 gallons each and two pressure tanks and 3,500 gallons each, and is also connected with the central office by means of a supervisory fire alarm system; furthermore, the appellant contends the building is provided with adequate means of fire protection and requests the board to accept the tank in its present location; requirements in all other respects will be complied with.

Resolved, that the order and decision of the commissioner of buildings be and they hereby are *modified*, and the appeal be and it hereby is *granted*, permitting the standpipe gravity tank in its present position, *on condition* that it be not less than 8 ft. above the highest story whose outlet; that the hose nozzles on top story shall be reduced to 1/2 in. diameter; that the standpipe system shall otherwise comply with the requirements of Rule 91 of the Standpipe-Fire Line Rules; that the sprinkler system shall be maintained to the satisfaction of the administrative official, including the Central Office Water Flow Alarm; that the building shall comply in all respects to the requirements of the Labor Law; that an approved 2 1/2-gallon chemical fire extinguisher shall be maintained in the superintendent's apartment in the roof pent house; and *granted* so long as the building shall be not increased in height or area.

40-34-A.

APPELLANT—Ansonia Fire Prevention Eng. Co., Inc., for Marshall R. Kernochan, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—61-65 West 23rd street (Block No. 825, Lot No. 9), Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

MINUTES

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(40-34-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Marshall R. Kernochan, owner, filed, February 13, 1934, an appeal from an order and a decision of the commissioner of buildings, affecting premises 61-65 West 23rd street (Block No. 825, Lot No. 9), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated November 27, 1933, re Order No. 7268-F, reads:

"1. Install an approved standpipe system in accordance with the Rules of the Board of Standards and Appeals, and Section 580-1, Article 28, Chapter 5, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated January 29, 1934, reads:

"In reference to your request to rescind the following Order No. 7268-F, pending against the above premises, you are advised that as the building exceeds 85 ft. in height your request must be denied."

"Item 1. Install an approved standpipe system in accordance with the Rules of the Board of Standards and Appeals and Sections 580-585, Chapter 5 of the Code of Ordinances."

and

WHEREAS, the building is non-fireproof, 7 stories (91 ft. 8½ in.) in height, 75 ft. by 94 ft. in area at first story and 75 ft. by 86 ft. in area above; OCCUPIED for store and office purposes, not more than 30 persons per story; located within a business district; and

WHEREAS, the appellant claims the original building was 5 stories in height; in 1894 the building was increased to its present height of 7 stories; in 1924 a new interior enclosed stairway was constructed, when completed Certificate of Occupancy No. 8235 of 1924 was issued for store and office use (a copy of the certificate herewith filed); in 1933 a two-source sprinkler system was installed, fed from a 12,000 gallon gravity tank, and a 9,000 gallon pressure tank, and which is also equipped with a National District Central Office water-flow fire-alarm; the existing building even without the sprinkler system was acceptable to all authorities having jurisdiction during the past 40 years, and occupied strictly in accordance with the Certificate of Occupancy now in force; the only reason for issuing the standpipe order is on account of the existing building being slightly more than 85 feet in height; furthermore, the appellant contends the owner would suffer an unnecessary hardship if compelled to install a standpipe system; that the building is provided with adequate means of fire protection; and

WHEREAS, Certificate of Occupancy No. 8235-1924, was issued by superintendent of buildings; and

WHEREAS, the building has been recently equipped with an approved sprinkler system having National District Central Office water-flow alarm.

Resolved, that the order and decision of the commissioner of buildings be and they hereby are *modified*, and the appeal be and it hereby is *granted on condition* that this building be not increased in height or area; that the occupancy shall be maintained as permitted by Certificate of Occupancy No. 8235-1924; and that the sprinkler system shall be maintained to the satisfaction of the authorities having jurisdiction.

52-34-A.

APPELLANT—Harold Liggett, for Stella Liggett, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—Northeast corner of Parsons boulevard and Elm street (Block No. 1181, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Appellant: Dr. Harold Liggett.

For Administration: None.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(52-34-A)

WHEREAS, Harold Liggett, for Stella Liggett, owner, filed, February 21, 1934, an appeal from a decision of the commissioner of buildings, affecting premises northeast corner of Parsons boulevard and Elm street (Block No. 1181, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings, dated February 19, 1934, re N.B. 2864-32, reads:

"Please be advised that your request to change certificate of occupancy No. 50295, covering premises at northeast corner of Parsons boulevard and Elm street, from a non-fireproof dwelling, doctors' offices and garage (the building having been erected under N.B. 2864 of 1932), to a hospital, dwelling and garage is denied, because the proposed change in use classifies the structure as a public building under Section 70, Subdivision 2 of the Building Code, and such building by Section 72, Subdivision 1-a of the Building Code is required to be fireproof."

and

WHEREAS, the building is non-fireproof, 2½ stories (26 ft.) in height, 52 ft. by 95 ft., irregular in area; OCCUPIED: cellar, boiler room, storage and laundry, 1st story, doctor's office, garage and residence; 2nd story, residence; located in a residence district; and

WHEREAS, the appellant claims the building is a newly constructed brick residence with slate pitch-roof over attic, the mean height of the main building is 26 ft.; it is proposed to use the one-story portion (less than 20 ft. in height) of the building as a hospital, having no cellar underneath nor superstructure above; not more than 5 beds will be maintained; each room has a window 3 ft. above the ground; furthermore, the appellant contends under the present economical conditions, the owner would suffer an unnecessary hardship if prevented the use of the building as herein proposed.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that only that portion of the building, one story in height, opening on Parsons boulevard, westerly of the room marked "Living Room" on the plans filed in this appeal, marked "Received February 21, 1934", shall be used for hospital purposes; that there shall be not more than three (3) bedrooms with a total of not more than five (5) beds in such hospital portion.

PETITION FOR VARIATION.

336-33-S.

PETITIONER—Victor Mayper, for Fulton Investing Corp., owner.

SUBJECT—Petition for variation of the labor law as cited in orders and a decision of the commissioner of buildings (previously withdrawn; reopened March 13, 1934).

PREMISES AFFECTED—435-445 Fulton street and 408-420 Jay street, northwest corner (Block No. 150, Lot No. 1), Borough of Brooklyn.

MINUTES

APPEARANCES—

For Petitioner: Victor Mayer.
For Administration: None.

ACTION OF BOARD—Laid over to April 17, 1934, at 2 p. m., for inspection by a committee of the board.

APPLIANCES SUBMITTED FOR APPROVAL.

41-34-SA.

PETITIONER—David Kaufman, for Forsdraft Burner Co., owner.

SUBJECT—Forsdraft Burner, approval of. (Consideration under existing rules.)

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar and referred to the engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

55-34-SA.

PETITIONER—Atlas Metal Products Corporation, owner.

SUBJECT—Atlas Pressure Tank for Paint Spraying, approval of.

APPEARANCES—

For Petitioner: Irving M. Kestin.

For Administration: Inspector Maher for commissioner of buildings.

ACTION OF BOARD—Petition withdrawn, improperly before board.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5

Negative 0

Absent 0

372-33-SA.

PETITIONER—John O'Connor, owner.

SUBJECT—Application for reopening—amendment—re Approval of change of name of the Preferred Oil Burner to the Brighton Oil Burner.

APPEARANCES—

For Petitioner: John O'Connor.

ACTION OF BOARD—Petition reopened and name of appliance changed.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE VOTE TO CHANGE NAME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(372-33-SA)

WHEREAS, the petition for approval of the Preferred Oil Burner was granted by the board January 3, 1934, and petitioner requests that the name be changed to the Brighton Oil Burner.

Resolved, that the resolution adopted on January 23, 1934, be amended, only so far as it has reference to the name of the device, so that as amended the resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as THE BRIGHTON OIL BURNER for use in domestic, commercial and industrial installations when installed in accordance with the report of the assistant chief of the Bureau of Combustibles and endorsed by the engineer of the board and the Rules of the Board of Standards and Appeals, *on condition* that the burner shall conform in all respects to the burner as approved by the board under the name of the PREFERRED OIL BURNER; and that all burners marketed under the name of the BRIGHTON OIL BURNER shall bear on plate the statement "Approved by Board of Standards and Appeals under Cal. No. 372-33-SA".

Adjourned, 4:30 p. m.

EDWARD V. BARTON, Chief Clerk.

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Kraissl Fuel Oil Pump.....	60-28-SA
American Marsh Simplex.....	639-25-SA	Leiman Rotary	95-24-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	M. D. Rotary.....	52-27-SA
Beach Russ Co. Rotary.....	1134-22-SA	Milwaukee Piston Rotating Port Pump....	763-25-SA
Blackmer Rotary	935-24-SA	Monroe Oil Pump.....	658-26-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Northern Rotary	1396-24-SA
Century Rotary	908-21-SA	Pascoe Pump Set.....	1029-26-SA
Cook Electric Oil Pump.....	603-25-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Davidson	590-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Dean Bros. Durable Duplex.....	840-22-SA	Quimby Screw Pump.....	1193-21-SA
DeLaval IMO Oil Pump.....	628-32-SA	Ray Rotary	588-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Rotary Vacuum Pump.....	513-25-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

PUBLIC HEARING

PROPOSED REVISION OF FUEL OIL RULES.

[217-21-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, April 6, 1934, at 2 P. M., Room 1013, Municipal Building, on Proposed Revision of Fuel Oil Rules. Matter in *italics* is new; matter in brackets [] old matter to be omitted.

Oil Burner Rules

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Scope.

(a) No person shall install oil-burning or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 1. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals installed prior to the adoption of these rules shall be accepted.

[DEVICES:

No person, firm, company or corporation shall within the limits of the City of New York use any device or apparatus for burning fuel oil within the meaning of these rules unless such device or apparatus shall have been approved by the Board of Standards and Appeals.]

DISCHARGE LINE shall be the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS are building used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For Protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL [LINE] PIPE is that portion of the line between the fill [box] pipe terminal and the fill pipe connection in the storage tank.

[FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.]

[FIRM FOUNDATION: A firm foundation is one which will carry the maximum load to which it shall be subjected without exceeding the safe bearing capacity of the soil.]

[FUEL] OIL: Any liquid mixture, substance or compound, derived from petroleum, [which does not emit an inflammable vapor below a temperature of 125° F. when tested in a Tagliabue open cup tester] including kerosene, fuel oil, as defined in the code of ordinances, Chapter X, Article I, Code of Ordinances.

The use of crankcase refuse oil as fuel oil is strictly prohibited unless used with burners designed to burn No. 5 U. S. commercial standard grade oil.

FULL DISHED HEAD: A head having a curvature with a radius not greater in length than the diameter of the tank.

OIL LEVEL INDICATING DEVICE [GAUGING DEVICE:] A means by which the level of the oil in a storage tank may be indicated.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

PREHEATERS: A device for heating fuel oil for the purpose of decreasing the viscosity.

MASONRY: Shall mean constructed of brick, stone, concrete, hollow building blocks, or a combination of these materials as set forth in the Code of Ordinances, Chapter V, Article 13, Section 251.

[OIL] BURNER: A device designed for the purpose of burning fuel oil.

[OVERFLOW PIPE: A pipe which conveys by gravity the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.]

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

RELIEF LINE: That portion of the line between the by-pass connection of the relief valve and the supply line or storage tank.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relief pressure in excess of its setting.

REMOTE CONTROL: A hand, electric, or mechanically operated device to shut off the oil supply. A thermostat will not be accepted as complying with this rule.

[RETURN LINE: A line for the purpose of conveying by-passed oil to a storage tank.]

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

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SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

SUPPLY LINE: That portion of the line between the storage tank and the oil pump inlet connection. Where a pump is not used it shall be that portion of the line between Storage Tank and the burner oil inlet connection.

[SWING JOINT: A connection made in a pipe line by means of a combination of fittings so that the tank can settle naturally without breaking the line or impairing the efficiency of the connection.]

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 2 (a). Manner of Storage for Fuel Oil.

Fuel oil, to be used for heating and power purposes, shall be at all times stored in metal tanks with all openings or connections through the tops of the tanks.

[(b). Oils Not Permitted.

Oils derived from or including petroleum that have a flashpoint below a temperature of 125 degrees Fahrenheit, when tested in a Tagliabue open cup tester, shall not be used as a fuel to produce heat or power.

(c) Fuel Oil within the meaning of these rules, having a flashpoint between 125 degrees and 150 degrees Fahrenheit, may be used for heating when the quantity stored is limited as prescribed in rule 4, section 1, subdivision i. If used in tenement houses, commercial or industrial plants, a certificate of fitness for the operator of the plant shall be required as per rule 15.]

(b) Oil Permitted.

Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flashpoint not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22).

[Rule 3. Location, Protection and Capacity of Tanks for the Storage of Fuel Oil.

(a) In all buildings fuel oil storage tanks over 275 gallons shall be buried below the floor of the lowest story or, if in the judgment of the Superintendent of Buildings the burial of tanks is not practicable by reason of soil, foundation or structural conditions, the tanks may be placed in the lowest story, subject to the requirements hereinafter set forth.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway.]

Rule 4. Location, [Protection and Capacity of Tanks for the Storage of Fuel Oil.] of Storage Tanks and Containers.

Section 1. Inside of Buildings [Above Ground.]

[(a) Tanks having a capacity of 275 gallons or less may be installed in lowest story of dwellings as outlined in these Rules when located at least ten (10) feet, measured horizontally from any fire or flame, provided such tank shall be mounted on substantial incombustible supports and firmly anchored to floor and ceiling or floor and wall, or to a weight greater than the buoyancy of tank when empty to prevent floating; such support to meet the approval of the

Fire Department. When this type of installation is used, the provisions of subdivisions b to j shall not apply. This subdivision shall apply only to one and two-family dwellings.

(b) Where tanks cannot be buried and are located in the lowest story of any building, they shall be placed in an enclosure, the walls, floor and roof of which shall be constructed of reinforced concrete not less than eight (8) inches in thickness, or twelve (12) inches of masonry and of dimensions six (6) inches greater on all sides than the outside dimensions of the tank.

(c) The walls of the enclosure shall be carried up to a height not less than one (1) foot above the tank and roofed over with reinforced concrete or similar fireproof construction capable of sustaining a load of three hundred (300) pounds per square foot.

(d) The roof of every enclosure shall contain a manhole with fireproof cover properly weighted, but not fastened, placed immediately above the manhole in the top of the tank.

(e) A space of least two (2) feet shall be maintained between the top of the roof of the enclosure and the ceiling immediately above.

(f) The space between the tank and the walls and roof of the enclosure shall be completely filled with dry upland sand or earth well tamped.

(g) Not more than one tank shall be placed in an enclosure.

(h) In frame buildings the total storage capacity of tanks shall not exceed five thousand (5,000) gallons.

(i) In non-fireproof and fireproof buildings, if tanks properly enclosed or covered as above required are located in a fireproof or detached room which is cut off from the rest of the building vertically and horizontally in an approved manner and if such room is ventilated to the outside air, the total storage capacity shall not exceed fifty thousand (50,000) gallons, with an individual tank capacity of not exceeding twenty thousand (20,000) gallons.

(j) In dwellings as defined in these rules the total storage capacity of fuel oil with flashpoint between 125 degrees and 150 degrees of Fahrenheit shall not exceed 1,100 gallons.]

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, permanently attached to tanks, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 4, Section 1 (b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallon storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

A storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty-thousand (20,000) gallons.

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(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

[Section 2. Inside Buildings Below Ground.]

[(a) When a tank is buried beneath a building its capacity may be increased one hundred (100) per cent above that allowed for an inside tank as established in connection with buildings of such construction as specified in Rule 4, Section 1 (h) and (i).

(b) Tanks shall be buried underground below the level of any piping to which they may be connected with the tops of the tanks not less than two (2) feet below the surface of the ground; or, in lieu of the two (2) foot cover of earth, tanks may be buried under twelve (12) inches of earth, covered by at least six (6) inches of concrete which shall extend at least one (1) foot beyond the horizontal outline of tanks in all directions. Where necessary to prevent floating, tanks shall be securely anchored.

(c) Tanks shall be set on concrete or metal cradles which shall be placed on firm soil and surrounded with soft earth or sand. Tanks shall be completely encased with six (6) inches of concrete when buried in soil the nature of which would make additional protection necessary.]

Section 3. Outside of Buildings Above Ground.

[(a) Where vertical tanks of one hundred and fifty thousand (150,000) gallons capacity or less are located outside of buildings and placed above ground, the tanks shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters, and in no case less than ten (10) feet, from the line of adjoining property, or the nearest building or adjacent tank.

(b) Where horizontal tanks of one hundred and fifty thousand (150,000) gallons or less capacity are located outside of buildings and placed above ground, the tanks shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters measured from the end of the tanks and not less than two (2) tank diameters measured from the side of the tanks, and in no case less than ten (10) feet from the line of adjoining property, or the nearest building or adjacent tank.

(c) Where existing outside above ground storage tanks of one hundred and fifty thousand (150,000) gallons capacity or less have been placed closer together than one and one-quarter ($1\frac{1}{4}$) tank diameters, a fire wall shall be built to a height of at least two (2) feet above the height of the highest tank completely separating the tanks for their full diameters or lengths.

(d) Tanks placed above ground shall be set on firm foundations and, if elevated, their supports shall be constructed of fireproof materials. All tanks shall be electrically grounded.]

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameter and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon..	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "
If distant 50 feet.....	48,000 "
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Above-ground storage tanks shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly

and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3'), and a slope of at least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced.

Section 4. Outside of Buildings Below Ground.

[(a) Tanks shall be buried underground below the level of any piping to which they may be connected, with the tops of the tanks not less than two (2) feet below the surface of the ground; or, in lieu of the two (2) foot cover of earth, tanks may be buried under twelve (12) inches of earth, well tamped, covered by at least six (6) inches of concrete, which shall extend at least one foot beyond the horizontal outline of tanks in all directions. Where necessary to prevent floating, tanks shall be securely anchored.

(b) Tanks shall be set on concrete or metal cradles which shall be placed on firm soil and surrounded with soft earth or sand well tamped. Tanks shall be completely encased with six (6) inches of concrete when buried in soil the nature of which would make additional protection necessary.]

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh.

[Section 5. Common Fill and Header Line.

Where a battery of tanks is installed containing the same degree of oil a common fill and header line may be installed provided the area of the fill or header line is equal in sum total to the area of the branch fill lines, and each branch line is provided with a shut-off valve, not more than four (4) tanks will be permitted in any one battery.

Section 6. Embankments and Dikes.

(a) Above ground storage tanks shall be protected by an embankment or a dike. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded, and shall be at least four (4) feet high, but in no case higher than one-quarter ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen (16) feet. Embankments or dikes shall be made of earth-work with clay core; of masonry or of impervious reinforced concrete. Earth-work embankments shall be firmly and compactly built of good earth from which stones, vegetable matter, etc., have been removed, and shall have a flat section at top of not less than three (3) feet and a slope of at least one and one-half ($1\frac{1}{2}$) to one (1) on both sides. Concrete or masonry dikes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded.

(b) Embankments or dikes shall be continuous and unpierced. Piping shall be carried either over or under embankments or dikes in such a manner as not to interfere with the efficiency of the enclosure.]

[Rule 5. Fire Extinguishing Equipment.

(a) Every tank with a capacity of over five thousand (5,000) gallons inside of buildings and ten thousand two hundred (10,200) gallons outside of buildings shall be equipped with a system of steam pipes, blanketing gas or other approved system for use in case of fire, so arranged and installed as to adequately protect the buildings or surrounding property.

(b) When steam is used, the steam supply pipe shall not be less than one-half ($\frac{1}{2}$) inch in size. The boilers shall be conveniently located, and the steam to the extinguisher lines shall be controlled by easily accessible valves.

(c) Near each boiler or furnace of fuel oil burning unit there shall be kept ready for use two portable fire extinguishers of not less than one (1) quart capacity each or other equivalent fire extinguishers for extinguishing oil fires.]

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Rule 6. Material and Construction of Tanks [for the Storage of Fuel Oil.]

[Section 1. Cylindrical Tanks (except vertical tanks located outside of buildings above ground).]

(a) All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, etc. All steel must be new, in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

(b) All tanks must be welded, riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates.

(c) Thickness of cylindrical tanks:

Tanks 36 in. in diameter and less— $\frac{1}{4}$ in. shell, $\frac{1}{4}$ in. heads.

Tanks 37 to 72 in. in diameter— $\frac{1}{4}$ in. shell, $\frac{5}{16}$ in. heads.

Tanks 73 to 120 in. in diameter— $\frac{5}{16}$ in. shell, $\frac{3}{8}$ in. heads.

Tanks over 120 inches in diameter to be of $\frac{3}{8}$ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

(d) All cylindrical tanks shall preferably be built with dished heads. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

(e) Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. diameter rivets $2\frac{1}{2}$ in. pitch.

Section 2. Rectangular Tanks.

(a) All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

(b) Corners may be made up by bending the plates or by use of angles.

(c) Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

(d) All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural members, which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tank, as the case may be.

(e) When structural members are used such as angles, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

(f) When structural reinforcing members are tied together with braces, in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken on the minimum net section.

(g) If structural members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

(h) The fastening between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

Section 3. Oval or Obround Tanks.

Oval or obround tanks not exceeding a capacity of 275 gallons may be used in dwellings as defined in these rules

when constructed of No. 10 gauge open hearth steel free from laminations or cracks. The tanks to be equipped with flanged and dished heads. The radius of dishing of heads to be equivalent to the small diameter of tank, a $\frac{1}{2}$ -inch flange is to be used.]

Section 1. All Tanks Except Vertical Above Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109") 4.375 pounds per square foot.

(b) All shop fabricated storage tanks shall have a permanently fixed plate bearing the name of the tank manufacturer and shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed to withstand a hydrostatic test of twenty-five (25) pounds per square inch without distortion, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed to withstand a hydrostatic pressure test without distortion, rupture or leakage, as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have full dished heads.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material.

(h) Manhole covers, where used, shall be bolted or otherwise secured to the tank and made gas tight.

[Section 4. Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.]

(a) Vertical tanks located outside of buildings above ground shall be built of steel plates of the quality required for cylindrical tanks.

(b) The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

r equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

(c) Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

(d) In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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(e) Tanks for storage of oil shall be constructed in accordance with the requirements of this rule, except that tanks of a capacity of over 60 gallons and not more than 550 gallons may be constructed of steel not less than 3/16 inches in thickness.

(f) Auxiliary supply tanks of 60 gallons or less capacity may be constructed of brass, copper, steel or wrought iron of not less than No. 14 U. S. gauge.]

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch (1/4") and the minimum thickness of roof plates shall be one-eighth inch (1/8") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall show no distortion or leaks when completely filled with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of ten (10) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of twenty-five (25) pounds per square inch without distortion, rupture or leakage and shall be approved as provided in Rule 12(b). Glass storage containers shall not exceed three gallons capacity and shall be approved as provided in Rule 12(b).

(b) If storage containers are for pressure feed they shall be not larger than ten (10) gallons capacity and shall be designed for six (6) times the maximum working pressure and shall withstand a hydrostatic pressure test of one hundred (100) pounds per square inch without distortion, rupture or leakage. The maximum working pressure shall not exceed fifty (50) pounds per square inch. Such pressure storage containers shall be provided with a pressure relief valve permanently set to discharge at a pressure not greater than fifty (50) pounds per square inch, shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit and shall be approved as provided in Rule 12(b).

[Section 5. Welding.

(a) Where welding is to be used for a part or for the entire tank, the tank shall be fabricated as required under Rule 6, Section 1.

(b) All welded seams of plates shall be lapped or butted.

When the joint is a lapped joint, the sheet shall be lapped not less than two inches and welded both inside and outside. The plates shall be pulled up tight, metal to metal, before welding and kept tight together during welding. Both inside and outside welds shall be of full 45 degree fillet.

Where a butt joint is used, it shall be of the 90 degree double V type welded both inside and outside and reinforced to a total thickness of at least one and one-half times the plate thickness.

(c) All heads shall be flanged, the straight part of the flange being not less than as follows:

For 3/16 inch heads, 1 3/4 inch flange.

For 1/4 inch heads, 2 inch flange.

For 5/16 inch heads, 2 inch flange.

For 3/8 inch heads, 2 1/4 inch flange.

For heads over 120 inches diameter the flange shall be increased in length by one-half inch for each increase in diameter of 2 feet.

Where heads are set into the shell, they shall be a driving fit and the shell shall fit the head closely all around. If

of over 1,100 gallon capacity they shall be welded inside and outside with full fillet welds. If of 1,100 gallon capacity or less and not over 48 inches in diameter, welding on the outside only will be sufficient.

Where the heads are butt welded to the shell, the head welds for tanks of 1,100 gallon capacity or less and not over 48 inches in diameter, shall be of the 90 degree single V type welded entirely through and reinforced not more than one-quarter of the shell thickness. For tanks of over 1,100 gallon capacity the head welds shall be of the 90 degree double V type welded inside and out and reinforced to a total thickness of not less than one and one-half times the shell thickness.

(d) Where tanks are made up of two or more rings the welded longitudinal joints of adjacent sections shall break joints. At no point of a butt girth shall the sheet on one side be offset with the sheet on the other side in excess of one-half of the thickness of the plate. All butt girth joints shall be welded inside and out and reinforced to at least one and one-half times the plate thickness, except that for tanks of 1,100 gallon capacity or less and not over 48 inches diameter, they may be of the same construction as the head seams.

(e) Where braces are welded to the plates the welding shall be done in such a manner as to develop the full net sections of the braces; in other words, the brace will break before the connection will let go.

Braces made in more than one piece shall not be joined together by any method of welding.

Section 6. Rust Proofing.

All tanks shall be thoroughly coated on the outside with tar, asphaltum or other suitable rust resisting material. Where soil contains corrosive substances, special protection may be required. Tanks shall not be coated until after the necessary tests have been made.

Section 7. Manhole Covers.

Manhole covers shall be of cast iron, cast steel or of the same material as used in the construction of the tank enclosure. On tanks placed inside buildings, the manhole shall be bolted or otherwise secured to the tank and made gas tight. All tanks over 1,100 gallons capacity shall be provided with a manhole of at least 11 in. by 16 in.]

Rule 7. [Tests of Tanks and Piping for the Storage of Fuel Oil.

Tanks and piping to burner shall be tested hydrostatically or with oil at a pressure of not less than 10 pounds per square inch. Those parts subjected to a pressure exceeding 10 pounds per square inch shall be tested at pressure at not less than 1 1/2 times the maximum pressure to which it is subjected. The hydrostatic pressure on a tank shall be determined by measuring in feet the height from the lowest point in the tank to the highest oil reservoir from which the tanks may be filled. This distance divided by 2.3 for water or its equivalent for oil will give the equivalent pressure in pounds per square inch at the bottom of the tank. Tanks and piping may be tested with oil provided the installation is complete and the pressure applied at the burner end of the supply line. There shall be no fire or flame in the room or rooms in which the test is being conducted or when repairs are being made to defective tanks. All tests shall be conducted in the presence of a representative of the Fire Commissioner and shall be continued for thirty minutes. No repairs shall be made to defective tanks within twenty-four hours of removal of oil from tank and purging of same of all explosive gases by steam, air or water.

The contractor shall furnish all the necessary equipment for conducting the tests.]

Permits, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Administrative official.

(b) Applications for permit shall be made on a form furnished by the Administrative official and shall provide for the location of the building in which the installation is

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to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burner, capacity, number and location of storage tanks, together with such other information as may be required by the Administrative official.

(c) No permit shall be issued until the installation has been inspected by a representative of the Administrative official.

Section 2. Inspection and Tests of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping connected thereto shall show no leakage when completely filled with oil.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with oil or water as follows:

- (1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.
- (2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the Administrative official.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 3. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances, Chapter X, Article 3, Section 43. A fee of \$1.00 shall be paid for each additional inspection required by reason of installation being incomplete or non-compliance with these rules.

Rule 8. Piping [for Fuel Oil.]

Section 1. Installation of Piping.

[(a) Piping shall be run in a substantial and workmanlike manner and provision made for expansion, contraction and settlement. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. Where the top of the tank is below the level of the burner oil inlet connection, the supply line from the tank shall be run above the level of the bottom of the tank so as to prevent syphoning. Cross connections permitting gravity flow from one tank to another are prohibited. All pipes connected to tank except measuring well or gauge pipe shall be provided with double swing joints at tank. All threaded joints shall be made tight with litharge and glycerine or equivalent suitable pipe compound.

(b) All piping shall be of standard full weight brass, copper, wrought iron or steel for working pressures less than one hundred (100) pounds per sq. in. for working pressures in excess of one hundred (100) pounds per sq. in., extra heavy seamless drawn tubing and drop forged fittings shall be used. No pipe less than one-half (1/2) inch outside diameter shall be permitted.

(c) All connections shall be tight and shall have well-fitted joints.

(d) Tubing and couplings, where used in connection with mechanical burners, shall be capable of withstanding a pressure equal to the piping to which it is connected and shall be constructed of fire resisting materials. No soldered

connection shall be used. The length of tubing shall not exceed that required for direct connections to coupling.

(e) Overflow pipes, when required, shall be not less than one size larger than supply pipe.]

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible tubing, when used, shall be of fireproof material. Soldered connections are prohibited.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve. [The relief line shall be returned to storage tank or to supply line near pump. There shall be no shut-off valves in the relief line.] The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

(b) [All] oil pre-heaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than 1 1/2 times the maximum working pressure of the system.

Section 3. Fill Pipes.

[(a) Each tank shall be provided with a separate fill pipe, except as otherwise stated in these rules, which shall be carried below the supply line in the tank or otherwise trapped to prevent escape of oil vapor. The fill pipe shall be made up with screwed or flanged fittings securely held in place and shall be oil tight. Each fill pipe shall be provided with means for locking and located at or above grade outside of the building within thirty (30) feet from curb or private right-of-way and located as remote as practicable from any building opening, subway gratings or elevated column, but not less than three (3) feet therefrom.]

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or driveway.

[(b) Where the top of the tank is above the fill box the fill pipe shall be connected to the top of the tank and be provided with a gate valve sealed closed when not in use and a swing check valve, both gate and check valve to be located at the fill box.]

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

[(c) Where there is a storage system of volatile inflammable oil, and a storage system for fuel oil to be used in the same premises, the fill boxes shall terminate as far as possible from each other, and the cover of the fuel oil fill box shall be painted green and cover of gasoline fill box red, or covers of fill boxes to have one inch (1") raised letters stamped thereon reading—Fuel Oil, Gasoline.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

[(d) The terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting to be of a different size than that required for the fill pipes to gasoline tanks.]

(d) Fill pipe terminal shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil."

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(e) *Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.*

Section 4. Vent Pipes.

(a) An open vent pipe of [standard wrought] iron or steel without trap and draining to the tank shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the tank more than 1 inch.

Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks designed to hold the same degree of oil is installed, vent pipes may be run into a main header. [Connections to the header shall not be less than one foot above the level of the top of the highest reservoir from which the tanks may be filled. The main vent pipe and header shall be of an area equal to the aggregate area of vent pipes connected thereto.]

[(c) Vent openings in tanks shall be screened by 40 mesh non-corrodible wire screen, and shall be of sufficient area to adequately vent the tank during the filling operation. Vents shall be not less than two (2) inches in diameter for tanks over 1,100 gallons' capacity, and in no case less than one and one-quarter ($1\frac{1}{4}$) inches in diameter.]

(c) *Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more.*

(d) [Vent pipes shall be provided with weather-proof hoods and terminate outside the building above the street surface, not less than six (6) feet nor more than twelve (12) feet above the fill pipe. Such vent outlet shall not be located within two (2) feet in any direction of a window or other opening, or an exterior stairway, or fire escape, nor shall vent pipes be placed in elevator or dumb-waiter shafts, or in a closed court.]

(d) *Vent pipes shall be provided with weathproof hoods and shall terminate outside the building not less than three feet (3') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.*

[(e) If compelled, because of structural conditions, to carry the vent outlet higher than twelve (12) feet above the fill box, and if the fill lines are connected to tank trucks by tight connections and filled by pressure, a one (1) inch line shall be connected to tank and shall parallel the fill line and terminate in the fill box with unthreaded end. A check valve shall be installed in the line so as to permit excess oil in the tank to flow to the fill box and shall be so set as to prevent the passage of vapor to the street.]

[Section 5. Return Line from Burners.

Return lines from burners, where used, shall not be smaller in diameter than the discharge outlet from the pump. They shall be connected into the supply line near the pump or into the storage tank without shut-off valve in the return line. No oil shall be returned to the storage tank at a temperature higher than one hundred and forty (140) degrees Fahrenheit.]

Section 6. Heating Coils in Storage Tanks.

All heating to reduce viscosity of fuel oils in storage tanks in any building shall be only by means of hot water coils [thermostatically controlled and the oil shall not be heated above one hundred and forty (140) degrees Fahrenheit] or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 7. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oiltight when not in use.

Rule 9. Valves and Control of Oil Flow [for Fuel Oil.]

[(a) In all installations a shut-off valve shall be provided at or on each burner. Where the top of the storage tank is located above the oil inlet connection to the burner, a shut-off valve shall be provided in the supply line inside the building as near the tank as practicable.

(b) In systems where either steam or air is used for atomizing the oil, the oil and atomizing supply shall be interlocked so that in case of interruption of the atomizing supply, the supply of oil will immediately be cut off.

(c) Automatic by-pass valves shall be set at not more than fifty (50) per cent above the maximum working pressure. This rule shall not apply to burners and pumps approved as a unit when provided with a pressure relief device.]

(a) *Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity shall be provided with a shut-off valve at the tank and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.*

(b) *Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located in the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.*

(c) *Oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a building only under the following provisions:*

1. *Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.*

2. *Such burners shall not be installed above the third floor level in any building. In no case shall oil be delivered at a height greater than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.*

3. *Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.*

4. *The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.*

(d) *A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located either inside or outside the entrance to the room in which the burner is located and as close to such entrance as practical, and shall be legibly labeled "Remote Control for Oil Burner."*

(e) *Except as provided by Rule 12 (b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.*

Rule 10. Oil Level Indicating Device [for Fuel Oil.] and Test Wells.

Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of fuel oil or vapor. [Test wells shall not be permitted in tanks located inside the building. Test wells when located outside the building shall be capped oil tight and kept closed when not in use.]

(b) *Test wells shall terminate outside of buildings and shall be capped oil tight and kept closed when not in use.*

(c) *All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings.*

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Rule 11. [Pumps for Fuel Oil.]

(a) Pumps shall be of a recognized standard mechanical construction approved by the Board of Standards and Appeals.

(b) Pumps shall be installed in duplicate where fire protection equipment is dependent on the use of fuel oil for heating or steam.

(c) Pumps located in the same room where burners are installed shall be provided with a remote control.

(d) Pumps used in connection with outside above ground storage tanks shall be located outside embankment walls, and at such a point that they will be accessible at all times, even if the oil in the tank or reservoir should be on fire.

(e) Pumps may be located below the top of the oil storage tanks or tanks where heavy oil is used having a gravity of not more than eighteen (18) degrees Baume and where the top of the tank or tanks is not more than ten (10) feet above the pump or pumps.

(f) Oil pumps used for supplying oil to the burners shall be rigidly fastened in place and secured against leaks.

(g) Where a pump is part of a burner unit and is used for atomizing purposes only, an additional approved pump may be used without the disconnection of the unit.]

Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 12. Burners [for Fuel Oil.]

[The burner mechanism shall be of recognized type approved by the Board of Standards and Appeals. In dwellings the burner shall be equipped with an overflow attachment or an automatic control to prevent flooding.

Where an approved burner unit includes a pump as part of the unit, said pump or burner may be disconnected and used in conjunction with any other approved burner or pump.

A remote control shall be provided whereby the flow of oil to any burner can be stopped and such control shall be located either inside or outside the entrance to the room in which the burner is located and as close to such entrance as practicable.

The damper shall be so constructed that it cannot completely cut off the passage of the flue gases at any time.

Adequate ventilation at least equivalent to area of the smoke pipe at the point where it enters the flue shall be provided in all rooms in which burners are installed.]

(a) *Burners, including oil-burning heaters, shall be approved type, provided with suitable safeguards to prevent abnormal discharge of oil.*

(b) *Approval of burners or oil-burning heaters designed for installation with storage of not more than ten (10) gallons shall include approval of storage containers and limitations of installation and fire protection. If more than ten (10) gallons storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than ten (10) gallons capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.*

(c) *These rules shall not apply to oil stoves, oil heaters or oil lamps, commonly used for household purposes, which employ capillary wicks essential to continuous combustion, or to portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.*

Rule 13. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney. (See Code of Ordinances, Chapter V, Article 19.)

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[Rule 13. General Devices for Fuel Oil.]

(a) Devices which are subject to breakage and escape of oil shall be prohibited.

(b) When preheaters are used thermometers with large clear reading scales, placed in thermometer wells with screwed top connections, shall be installed at convenient and prominent positions in the oil supply lines between the service tank and the pumps, and also between the pumps and the burner, to indicate the temperature of the oil.]

Rule 14. Instruction Cards.

Cards giving complete instructions for the care and operation of the fuel oil system shall be permanently fixed near the apparatus and maintained in readable condition.

Where burners or oil-burning heaters designed for use with storage of not more than ten (10) gallons' capacity (Rule 12 (b)) are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

[Rule 15. Operation of Plant, Other Than in Dwellings, Using Fuel Oil.]

No fuel oil burning plant, other than in dwellings as defined in these rules, shall be operated unless in charge of a person holding a certificate of fitness as issued by the fire department. A certificate of fitness will be required for each person who is directly in charge of the operation of the plant at any and all times.]

[Rule 16. Installation.]

No fuel oil installation shall be operated or oil placed in the system until after a permit has been issued by the Fire Commissioner. Plans for each fuel oil installation, except in dwellings as defined in these rules, shall be submitted to the Fire Commissioner for approval, together with a Certificate of the Superintendent of Buildings indicating that the proposed construction of the enclosure and the location of the tanks are in accordance with the requirements of the Building Code and these Rules.] Note: See Scope.

[Rule 17. Auxiliary Tanks for Fuel Oil.]

(a) Auxiliary supply tanks may be of the gravity type if suitable automatic safeguards to prevent abnormal discharge of oil at the burner are provided. The total capacity of such tank or tanks in any building shall not exceed 60 gallons.

(b) Auxiliary supply tanks, or storage tanks, shall not be located within ten (10) feet of any fire or flame, and where practicable shall be placed at an interior angle of the cellar, formed by the walls of the building.

(c) Auxiliary supply tanks shall be substantially and rigidly supported on metal frames or cradles and secured by 2x $\frac{1}{8}$ -inch straps riveted or bolted to frame and securely fastened to wall of building by rigid metal braces.

(d) Where only an auxiliary tank is prescribed in these rules is used it shall in addition to complying with the requirements for auxiliary tanks comply with all requirements for the protection of a storage tank other than the enclosure.

(e) Auxiliary supply tanks or storage tanks not exceeding 275 gallons may be of the gravity type if suitable automatic safeguards to prevent abnormal discharge of oil at the burner are provided. When this method of installation is used the connection for discharge of tank may be made at bottom of tank. The total capacity of such auxiliary supply tank or tanks in any building shall not exceed 275 gallons. This rule applies only to one and two-family dwellings.]

[Rule 18. Pilot Light.]

Automatic systems, unless electrically ignited, shall be so designed that the flame cannot be extinguished by operation of the automatic control valve and a pilot light of adequate intensity shall be provided in each combustion chamber, so arranged as not to be easily extinguished.]

[Rule 19. Furnaces and Ranges.]

Stoves, ranges, hot air furnaces or other devices, originally designed for use of fuel other than oil, shall not be used in connection with oil burners unless spaces in which

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vapors might collect are adequately vented, and if used shall be of such construction as to withstand the maximum temperature which the oil burning device to be installed may generate.]

Rule 20. Fire Protection.

[(a) In dwellings, as defined in these rules, any wood-work, wooden lath and plaster partition or other combustible material within four (4) feet of the sides or back or eight (8) feet from the front of the heating apparatus shall be covered with fire retarding material. Above the heating apparatus there shall be constructed a ceiling of fire retarding material (unless it be of fireproof construction) said ceiling shall extend at least four (4) feet beyond the sides and back and eight (8) feet from the front.

(b) In all buildings, other than in dwellings as defined in these rules, and garages the fire protection shall consist of either a heating apparatus room constructed of fireproof partitions of not less than four (4) inches in thickness with all openings protected by fire retarding material; or the entire ceiling, if not of fireproof construction, shall be protected by fire retarding material, and all vertical openings leading from the elevation on which the heating apparatus is located shall be enclosed by fire retarding materials with openings protected by fireproof self-closing doors.

(c) No combustible material shall be maintained within ten (10) feet of a heating apparatus, unless protected or separated by fire retarding or fireproof material.

(d) The ceiling, unless of fireproof construction, directly over and for a space of two (2) feet beyond each side of any smoke pipe, shall be protected with fire retarding material, and in addition any smoke pipe, if within 9 inches of any combustible ceiling, shall be protected with a covering of 1-inch air cell asbestos, or its equivalent.

(e) The floor of all boiler rooms must be of fireproof construction.]

(a) *The clear distance between any non-insulated parts of boilers, furnaces, or other heating apparatus, including smoke pipe connections to flues and combustible material, shall not be less than eighteen inches (18"). Where such parts are insulated by two inches (2") of asbestos or equivalent, the clear distance shall be not less than nine inches (9").*

(b) *No rubbish or other combustible material shall be stored within five feet (5') of heating apparatus.*

(c) *Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.*

[Rule 21. Systems Prohibited.

The use of auxiliary tanks of the pressure type between pump and burner unit is prohibited. Pressure in storage tanks for the purpose of discharging oil is prohibited.]

Rule 22. [Use of Fuel Oil.]

[(a) These Rules shall not apply to gas companies storing or using fuel oil in the manufacture of illuminating gas for public use.

(b) The use of oil stoves, oil heaters or oil lamps commonly used for household purposes which employ a wick to absorb such oil in its combustion shall not be prohibited;

or shall the use of such oil be prohibited when used in a plumber's torch or similar apparatus.

(c) The use of oil burning heaters using 38 to 42 Baume oil not employing a wick and when feed tanks of heaters do not exceed a total capacity of six gallons and when heater is not used for cooking purposes will not be prohibited when burners are of a type approved by the Board of Standards and Appeals and meet with the following requirements:

1. Heaters shall be firmly anchored to the floor, set level, with the floor beneath heater protected by an asbestos or equivalent shield.

This shield to extend in all directions at least 12" beyond the outside of complete unit.

2. The heater shall be directly connected to a smoke flue, the area of any damper not to exceed 80% of the area of smoke flue.

3. The oil tank of the heater shall be filled from storage located outside room in which heater is installed.

4. This subdivision of Rule 22 shall not in any way set aside or waive provisions in these rules governing storage tanks, except as follows:

First—Outside Buildings.

Permit storage of not more than fifty-five gallons, maintained in metal shipping container equipped with approved hand pump.

Second—Inside Buildings.

Permit storage of not more than 275 gallons if installed and maintained in compliance with Rules 17 of these rules and equipped with an approved hand pump.

5. This subdivision applies only to dwellings as defined in these rules and prohibits the use of not more than one heater in any one room.

6. Heater installation shall comply with the requirements of the building code and heater shall not be connected in any manner to hot water, steam or hot air furnace flues.] See Scope.

Inspection of Installations With Not More Than Ten (10) Gallons Storage Capacity.

All installations of burners with not more than ten (10) gallons storage capacity (except where such installations are made in dwellings or in the dwelling portion of any building) shall be reported by installer to the administrative official, giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 23. Modification.

When for any reason it may be impracticable to comply strictly with the foregoing rules or when additional protection is necessary, the [Fire Commissioner] administrative official shall have power [to modify their provisions so that the spirit and substance thereof shall be complied with. Such modification shall be endorsed upon the permit over the signature of the Fire Commissioner or designated representative of the Fire Commissioner.] *to accept substitute methods and material so that the spirit and substance of these rules shall be complied with.*

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady.....	231-30-SA
Elkhart	15-31-SA

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	May Oil Burner.....	68-24-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Auto-Heat Oil Burner.....	284-33-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	National Airoil High Pressure Burner.....	185-29-SA
Ballard Jr. Oil Burner.....	1176-27-SA	National Airoil Low Pressure Burner.....	186-29-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Best Calorex Burner.....	1464-21-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	North American Low Pressure Oil Burner...	792-26-SA
Brighton Oil Burner.....	372-33-SA	Oilbilt Burner.....	85-33-SA
Burnwell Mechanical Burner.....	957-22-SA	Oronoque Oil Burner.....	394-30-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Model W Oil Burner.....	452-31-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
D'Elia Oil Burner.....	155-31-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
DeWalt Oil Burner.....	541-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Doe Oil Burner.....	317-31-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enco Mechanical Oil Burner.....	509-30-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Frankfort Type P Oil Burner.....	1046-23-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Gem Fuel Oil Burner.....	111-26-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Ghapco Steam Generator.....	348-31-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Steam Oil Burner.....	183-22-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Grant Oil Burner, Model "C".....	232-32-SA	Sun Heat Oil Burner.....	603-29-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Hammond Oil Burner.....	72-31-SA	Sunway Oil Burner.....	624-30-SA
Harris Fuel Oil Burner.....	690-30-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Hart Oil Burner, Model "H".....	221-33-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hayward Oil Burner.....	696-30-SA	Timken Rotary Oil Burner.....	297-29-SA
Hobeco Oil Burner.....	1278-21-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Holby Oil Burner.....	328-27-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Spiro Oil Burner.....	470-31-SA
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Todd Spiro Burner (pump type).....	94-32-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Todd Steam Atomizing Fuel Oil Burner.....	123-23-SA
Kreager Oil Burner.....	367-30-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Vaporoil Burner	44-32-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Liberty Automatic Heater.....	129-28-SA	Wizard Automatic Oil Burner.....	181-33-SA
Lientz Oil Burner.....	155-20-SA		
Lonergan Automatic Oil Burner.....	208-33-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		
Maxon Oil Burner (New Style).....	1036-22-SA		

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Fluid Heat Oil Burner.....	361-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Franklin Domestic Oil Burner.....	560-26-SA
Air-Blast Oil Burner.....	579-32-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Alladin Oil Burner.....	298-26-SA	Fuelo Oil Burner.....	47-30-SA
Alexander Oil Burner.....	65-28-SA		
Arcoil Heat Machine.....	632-26-SA		
Auto-Heat Oil Burner.....	284-33-SA	Gar Wood Oil Burner.....	373-30-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gar Wood Oil Burner, Model K and Model K-3500	481-32-SA
		General Electric Fuel Oil Burner.....	434-32-SA
Baker Automatic House Heating Burner....	1323-22-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Ghapco Steam Generator.....	348-31-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Berggren Oil Burner.....	764-26-SA	Gill Oil Burner.....	1231-23-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Bettendorf Oil Burner.....	731-28-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Gulf Oil Burner.....	382-26-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA		
Branford Oil Burner.....	36-31-SA		
Branford Oil Burner, Model "A".....	461-32-SA		
Brighton Oil Burner.....	372-33-SA		
		Hardinge Oil Burner.....	813-25-SA
Caloroil Burner, Type AA.....	1361-24-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Harris Fuel Oil Burner.....	690-30-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hart Automatic Oil Burner.....	1162-24-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Carborundum Burner	571-29-SA	Hart Oil Burner, Model "H"	221-33-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Hayward Oil Burner	696-30-SA
Carter-Korth Oil Burner	54-30-SA	Heatiator Oil Burner.....	1346-23-SA
Century Oil Burner.....	157-28-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Hercules Oil Burner.....	510-29-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Cook's Automatic Oil Burner.....	955-27-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Crescent Oil Burner	222-29-SA	Homer Domestic Oil Burner.....	1211-25-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
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Ember-Glo Oil Burner.....	462-32-SA	Kreager Oil Burner.....	367-30-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Kres-Kno Oil Burner.....	443-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA		
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Laco Oil Burner, Model NL.....	670-30-SA
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		Leader Oil Burner.....	425-31-SA
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APPROVED APPLIANCES

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Magna Fuel Oil Burner.....	197-33-SA	S-K Oil Burner, Model F.....	369-33-SA
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Marr Oil Heat Machine.....	765-26-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
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Master-Kraft Oil Burner.....	83-33-SA	Scott-Newcombe Pioneer Oil Burner, Models C and CA.....	436-32-SA
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Mayflower Oil Burner.....	124-29-SA	Shill Oil Burner.....	315-30-SA
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Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
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Oronoque Oil Burner.....	394-30-SA	Superfex Oil Burning Heater.....	491-31-SA
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Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Vaporoil Burner	44-32-SA
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		Plans approved	6
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		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
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WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, April 3, 1934, at 10 A. M.

Minutes of Regular Meeting, April 3, 1934, at 2 P. M.

First Quarterly Report.

Rules for Testing of Wood.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
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Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday April 9, 1934*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, April 16, 1934*, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

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88-34-SA.....	F.D.....	Bettendorf Economatic Oil Burner, Models D1 Standard and D1 De Luxe, Appliance
87-34-S.....	D.B.B.....	599a-601-603 5th ave., N. E. Cor. Prospect ave. (Block 1053, Lots 1 & 3), Brooklyn, 75720-LD and Decision
86-34-SA.....	F.D.....	Challenger Oil Burner, Model "A," Appliance.
85-34-A.....	F.D.....	1491 Broadway and 202 West 43rd st., S. W. Cor. (Block 1014, Lot 36), Manhattan, Decision
84-34-BZ.....	D.B.B.....	7423-7427 5th ave. & 501-509 Bay Ridge Parkway (75th st.), N. E. Corner (Block 5931, Lots 1, 2 & 85), Brooklyn, Applic. 2116-34
83-34-S.....	D.B.M....	225-235 West 37th st. & 230-238 West 38th st. (Block 787, Lots 25, 30, 59 & 61), Manhattan, 99204-LD & 99233-LD
82-34-A.....	F.D.....	71-99 Livingston st. (Block 266) Lot 12), Brooklyn, 64061-LC
81-34-BZ.....	D.B.Q.....	196-08 Hillside ave. (Block 1452, Lot 3), Hollis, Queens, N. B. 199-34
80-34-A.....	D.B.M....	702 East 12th St. (Block 381, Lot 9), Manhattan, 9984-F

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H.D.....	Health Department
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D.B.M.....	Department of Buildings, Manhattan
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CALL OF CLERK'S CALENDAR

MONDAY, APRIL 9, 1934, AT 2 P. M.

Building Zone Cases.

607-31-BZ	APPLICANT—Archie H. Samuels, for Ben S. Michaelson, owner.
	PREMISES—Northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar February 6, 1934).
37-34-BZ.	APPLICANT—Archie H. Samuels, for Stiroco Realty Corp., owner.
	PREMISES—Southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.
49-34-BZ.	APPLICANT—H. I. Feldman, for David Nussdorf, owner.
	PREMISES—550-554 Bedford avenue, northwest corner of Ross street (Block No. 2181, Lot No. 33), Brooklyn.
	APPLICATION, under section 7a of the building zone resolution,
	TO PERMIT in a residence district the alteration and extension of an existing building used in part for business use.
59-34-BZ.	APPLICANT—Maxwell H. Lanes, for Estate of Charles A. Peabody, owner.

CALENDAR

PREMISES—94-100 Clark street, 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores).

62-34-BZ.

APPLICANT—Henry G. Harrington, for Dagmar M. Clements, owner.

PREMISES—6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station.

APRIL 10, 1934, 10 A M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 10, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 373-33-BZ—Application, December 11, 1933, under section 21 of the building zone resolution, of Henry J. Nurick, applicant, on behalf of Michael Salit, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 176-192 Kings Highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

CAL. NO. 327-33-BZ—Application, October 18, 1933, under section 21 of the building zone resolution, of Harold J. Crawford, applicant, on behalf of Nora Eberhardt, owner, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building; premises 21-17—30th avenue (Block No. 547 Lot No. 7), Astoria, Borough of Queens.

CAL. NO. 302-33-BZ—Application, September 18, 1933, under section 21 of the building zone resolution, of Frank Giorgio, Jr., applicant, on behalf of Antonio Monteleone and Rose Monteleone, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

CAL. NO. 345-33-BZ—Application, November 14, 1933, under sections 7b, 7c and 21 of the building zone resolution, of Walter Zeitz, applicant, on behalf of Walmere Realty Co., Inc., owner, to permit partly in a residence district and partly in a business district, the erection and main-

tenance of a building to be used for business use (stores); premises 3146 Heath avenue, south side, 117 ft. 8 in. west of Kingsbridge terrace (Block No. 3257, Lot No. 53), The Bronx.

CAL. NO. 353-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of Saul Goldsmith, applicant, on behalf of Ellen Martin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.

CAL. NO. 387-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of William Mulligan, applicant and owner, to permit in a residence district the alteration and change of occupancy of an existing dwelling so as to include a business use (store); premises 122-12 25th road (Block No. 218, Lot No. 29), College Point, Borough of Queens.

CAL. NO. 11-34-BZ—Application, January 22, 1934, under section 21 of the building zone resolution, of Joseph Walsh, applicant, on behalf of Harry Koggan, owner, to permit in a business district the change of occupancy of an existing premises to junk shop; premises 273 Chester street, east side, 179 ft. 2¾ in. south of Blake avenue (Block No. 3560, Lot No. 12), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1934, 2 P. M.

Appeal from Administrative Order.

90-34-A—162-10 to 162-18 Jamaica avenue and 92-15 Union Hall street (Block No. 1052, Lot Nos. 4, 6 and 79), Jamacia, Borough of Queens.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 10, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

CAL. NO. 386-33-BZ—Application, December 28, 1933, under section 21 of the building zone resolution, of Marcus L. Bermann, applicant, on behalf of Ralph Horton, owner, to permit in a business district

CALENDAR

the erection and maintenance of a gasoline service station; premises northeast corner of Eastern boulevard and Sound View avenue, through to Croes avenue (Block No. 3722, Lot No. 18), The Bronx.

CAL. NO. 368-33-BZ—Application, December 7, 1933, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Sonsam Corporation, owner, to permit partly in a business district and partly in a resident district, the erection and maintenance of a gasoline service station; premises Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

CAL. NO. 132-31-BZ—Application, March 19, 1931; dismissed for lack of prosecution, December 4, 1931; reopened and restored to Calendar, November 21, 1933, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wandil Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station and a motor vehicle repair shop; premises northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

CAL. NO. 116-33-BZ—Application, March 27, 1933; denied June 27, 1933; request for reopening withdrawn July 18, 1933; reopened January 26, 1934, for reconsideration under new facts, under sections 7e and 21 of the building zone resolution, of Arthur F. Lamanda, applicant, on behalf of Katherine Alberti, owner, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles granted by the board under Cal. No. 304-30-BZ; premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Manhattan.

CAL. NO. 287-33-BZ—Application, September 6, 1933, under section 21 of the building zone resolution, of Fred Meier, applicant, on behalf of William Allan, owner, to permit in a business district the erection and maintenance of a gasoline service station; January 9, 1934, laid over for full vote of Board; restored to Calendar March 6, 1934; premises northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

CAL. NO. 597-32-BZ—Application, December 2, 1932, under section 21 of the building zone resolution, of Henry A. Urquhart, applicant, on behalf of John Wischerth, owner, to permit in a business district the erection and maintenance of a gasoline service station; denied October 17, 1933; remitted by Court for further

consideration February 17, 1934; restored to Calendar March 6, 1934; premises 33-41 Stone avenue, southeast corner of McDougal street (Block No. 1535, Lot No. 1), Brooklyn.

CAL. NO. 348-33-BZ—Application, November 17, 1933, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Bleitborn Building and Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Brooklyn.

CAL. NO. 364-33-BZ—Application, December 5, 1933, under section 21 of the building zone resolution, of Joseph S. Gershman, applicant, on behalf of Maphi Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises northeast corner of Hillside avenue and Chelsea road (187th street); (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 379-33-BZ—Application, December 18, 1933, under section 21 of the building zone resolution, of Andrew Havrylok, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 13, 1934, 2 P. M.

SPECIAL MEETING.

Rules

217-21-SR—Fuel Oil Rules, Proposed Revision of.

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 16, 1934, AT 2 P. M.

Building Zone Cases

1213-24-BZ.

APPLICANT—Chas. Schaefer, Jr., for T. & R. Construction Co., Inc., owner.

PREMISES—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously denied for a garage; reopened October 3, 1933).

68-34-BZ.

APPLICANT—Irving Kirshenblit, for Sarah Feman, owner.

PREMISES—384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Brooklyn.

CALENDAR

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type).

73-34-BZ.

APPLICANT—Michael Levine, for Karron & Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5" south of 20th avenue (Block No. 5464, Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station.

375-33-BZ.

APPLICANT—Martin J. Ort, for Dandern Realty Co., owner.

PREMISES—Southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

35-34-BZ.

APPLICANT—Samuel Roth, for Fannie Levy, owner.

PREMISES—74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

1304-25-BZ.

APPLICANT—Samuel Fish, for Samuel Berman, owner.

PREMISES—2447 Coney Island avenue, east side, 301'1" north of Avenue V (Block No. 7343, Lot No. 61), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the change of occupancy of an existing building to a motor vehicle repair shop and, also, garage for five (5) motor vehicles (reopened March 20, 1934).

APRIL 17, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 17, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 28-34-BZ—Application, January 31, 1934, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Nac Holding Corp.,

owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.

CAL. NO. 396-30-BZ—Application, June 14, 1930; withdrawn September 30, 1930; reopened December 5, 1933, under section 21 of the building zone resolution, of Benjamin Baser, applicant, on behalf of Isidor Schraub and Celia Silverman, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises 65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 21), Woodside, Borough of Queens.

CAL. NO. 383-33-BZ—Application, December 27, 1933, under section 21 of the building zone resolution of Aaron G. Alexander, applicant, on behalf of Matin Realty, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos. 1, 8 and 11), The Bronx.

CAL. NO. 15-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of Julius Auserehl, applicant and owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 347-33-BZ—Application, November 17, 1933, under section 21 of the building zone resolution, of Aaron H. Schwartz, applicant, on behalf of Webames Realty Corporation, owner, to permit in a residence district the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling; premises 138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), The Bronx.

CAL. NO. 1236-27-BZ—Application, November 22, 1927; granted on certain conditions May 29, 1928; extension of time granted November 27, 1928, and the time within which to obtain permits and complete work has expired; reopened January 9, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Dorothy Rehder, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueeduct, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

APRIL 17, 1934, 2 P. M.

Appeal from Administrative Order.

64-34-A—121-131 West 19th street (Block No. 795, Lot No. 27), Manhattan.

Petitions for Variations.

336-33-S—435-445 Fulton street and 408-420 Jay street, northwest corner (Block No. 150, Lot No. 1), Brooklyn.

61-34-S—91-95 Harrison place (Block No. 2998, Lot No. 45), Brooklyn.

Appliances Submitted for Approval.

69-34-SA—Max Ashpes Pot Type Oil Burner.

75-34-SA—Liberty Pressure Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 17, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 380-33-BZ—Application, December 19, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Frank Teltsch, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

CAL. NO. 382-33-BZ—Application, December 26, 1933, under section 21 of the building zone resolution, of Andrew Yablonsky, applicant and owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop; premises southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

CAL. NO. 3-34-BZ—Application, January 10, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Estate of Jonas Weil, owner, to permit in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles which is located in an unrestricted district; premises 229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot Nos. 13, 49, 50 and 51), Manhattan.

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

CAL. NO. 512-31-BZ—Application, October 19, 1931; withdrawn January 19, 1932; reopened and restored to Calendar November 14, 1933, under section 21 of the building zone resolution, of George Tiernan, applicant, on behalf of Regina Boulevard Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

CAL. NO. 343-33-BZ—Application, November 14, 1933, under section 21 of the building zone resolution, of Milton Kaplan, applicant, on behalf of Milton Kaplan and Katie Baum, owners, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Brooklyn.

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 23, 1934, AT 2 P. M.

Building Zone Cases.

27-34-BZ.

APPLICANT—Edward P. Doyle, for Henrietta Meinikheim, owner.

PREMISES—72-02 to 72-10 57th avenue and 57-05 to 57-15 Mazeau street, southeast corner (Block No. 2808, Lot No. 79), Maspeth, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

65-34-BZ

APPLICANT—Burke & Olsen, for Domenick Schirripa, owner.

PREMISES—5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a refrigerating plant.

66-34-BZ.

APPLICANT—David L. Woodall, Jr., owner.

PREMISES—Southwest corner of Weeks avenue and East 175th street (Block No. 2796, Lot No. 31), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

CALENDAR

TO PERMIT in a residence district the erection and maintenance of a business building (stores).

APRIL 24, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 24, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 42-34-BZ—Application, February 14, 1934, under section 21 of the building zone resolution, of Jack Jacobson, applicant, on behalf of Emdee Management, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Brooklyn.

CAL. NO. 9-34-BZ—Application, January 19, 1934, under sections 7c and 21 of the building zone resolution, of Robert Gottlieb, applicant, on behalf of Alna Holding Corp., owner, to permit in a business district the change of occupancy of an existing storage warehouse to a factory; premises 4756 Third avenue, northeast corner of East 189th street (Block No. 3033, Lot No. 53), The Bronx.

CAL. NO. 44-34-BZ—Application, February 15, 1934, under section 21 of the building zone resolution, of Robert Schnepfer, applicant, on behalf of Annuncio Ambrosia, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 137-02 to 137-10 Linden boulevard, southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

CAL. NO. 50-34-BZ—Application, February 21, 1934, under sections 7a, 7c and 21 of the building zone resolution, of Adolph Goldberg, applicant, on behalf of North Shore Motor Sales Co., Inc., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry; premises 153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1934, 2 P. M.

Appeal from Administrative Order.

60-34-A—Southeast corner of Locust avenue and East 134th street (Block No. 2583, Lot Nos. 365 and 369), The Bronx.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday afternoon, April 24, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 546-32-BZ—Application, October 31, 1932, under section 21 of the building zone resolution; denied February 3, 1933; re-opened January 9, 1934, under section 7f of the building zone resolution, of Archie H. Samuels, applicant, on behalf of 88th Holding Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), The Bronx.

CAL. NO. 8-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wardell Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 27, 1934, 10 A. M.

SPECIAL MEETING

Appeals from Administrative Orders.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-24-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

MAY 1, 1934, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 1, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 6-34-BZ—Application, January 17, 1934, under sections 7a, 7e and 21 of the building zone resolution, of Harry A. Yarish, applicant, on behalf of Allan A. Kurtz, owner, to permit in a business district the erection and maintenance of stables for more than five (5) horses; premises 507-511 Foster avenue, north side, 178'6¾" west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, APRIL 3, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, March 27, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, March 27, 1934, were approved as printed in Bulletin No. 14, Vol. XIX.

BUILDING ZONE CASES.

512-31-BZ.

APPLICANT—George Tiernan, for Regina Boulevard Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar November 14, 1933).

PREMISES AFFECTED—Southeast corner of Mott avenue and Regina boulevard (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: George Tiernan, Andrew McTige, Jr., J. Russell Sprague.

For Opposition: Marie Keese, John V. Reilly, Henry S. Manheimer, Julia F. Maguire.

ACTION OF BOARD—Laid over to April 17, 1934, at 2 p. m., for report of committee on inspection. No further argument.

343-33-BZ.

APPLICANT—Milton Kaplan, for Milton Kaplan and Katie Baum, owners.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton Kaplan and Louis M. Kaplan.

For Opposition: None.

ACTION OF BOARD—Laid over to April 17, 1934, at 2 p. m., for report of committee on inspection. No further argument.

14-34-BZ.

APPLICANT—John F. Meehan, for Isaac D. Reynolds, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Daniel Marshall, Isaac D. Reynolds.

For Opposition: Joseph A. Shields.

ACTION OF BOARD—Laid over to April 17, 1934, at 2 p. m., for report of committee on inspection. No further argument.

546-32-BZ.

APPLICANT—Archie H. Samuels, for 88th Holding Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously denied under section 21; reopened January 9, 1934).

PREMISES AFFECTED—Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Norman Siegel, William Hoetzel, Vito Macina, Frank Lutz, Robert Pilpel, Pietro B. Nicotri.

ACTION OF BOARD—Laid over to April 24, 1934, at 2 p. m., for report of committee on inspection. No further argument.

294-27-BZ.

APPLICANT—Mokel Realty Corp., present owner.

SUBJECT—Application for reopening—modification—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—951-959 Lenox road, north side, from East 57th street to Remsen avenue (Block No. 4644, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Kronenberg.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative

Absent

5

0

0

60-31-BZ.

APPLICANT—Daniel McNamara substituted for H. G. Harrington, for Bay Ridge Storage Warehouse Corp., owner.

SUBJECT—Application (re decision of the superintendent of buildings), under sections 7b, 7c, 7e, 7g and 21 of the building zone resolution, to permit partly in an unrestricted district and partly in a business district the erection and maintenance of a garage for the storage of more than five motor vehicles, an automobile repair shop and also a gasoline service station.

PREMISES AFFECTED—6317-6327 Fifth avenue, east side, 125 ft. south of 63rd street (Block No. 5810, Lot Nos. 1, 2, 76 and 82), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative

Absent

5

0

0

MINUTES

THE RESOLUTION—

(60-31-BZ)

WHEREAS, this application affecting premises 6317-6327 Fifth avenue, east side, 125 ft. 0 in. south of 63rd street (Block No. 5810, Lot Nos. 1, 2, 76 and 82), Borough of Brooklyn, was denied by the board July 7, 1931, and reopened under new facts March 18, 1932; and

WHEREAS, applicant has failed to complete his papers in the reopened case though duly notified so to do and after extensions of time for such completion of papers had been granted.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

53-30-BZ.

APPLICANT—Jacob Rudd, for Metropolitan Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar October 10, 1933).

PREMISES AFFECTED—97-107 Kenmare street and 15 Cleveland place, northeast corner (Block No. 481, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: Jacob Rudd.

For Opposition: S. Schoendach, Mrs. O. Hanwacker, Dominick Coiro.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(53-30-BZ)

WHEREAS, this application was filed January 24, 1930, withdrawn April 29, 1930, and reopened and restored to calendar October 10, 1933, on the request of Jacob Rudd for the Metropolitan Savings Bank, present owner, to permit in a business district the erection and maintenance of a gasoline service station; premises: 97-107 Kenmare street and 15 Cleveland place, northeast corner (Block No. 481, Lot No. 7), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kenmare street is in a business district, Cleveland place is in a business and unrestricted district, Lafayette street is in a business and unrestricted district and Mulberry street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 10, 1934, re N. B. Applic. 54-1933, reads:

"1. The erection of a gasoline service station in a business district is contrary to section 4 of the building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground, having a frontage of 100 ft. 1 in. on Kenmare street, 3 ft. 6 in. on Cleveland place and a distance of 18 ft. 11 in. along the east lot line—upon which it is proposed to erect a one-story office 5 ft. by 12 ft. in area; an auto lift and to install the necessary tanks and pumps for a gasoline service station. Proposes to demolish the three-story structure now located on the plot; and

WHEREAS, the board had previously made an inspection of this plot under appeal on March 29, 1934, and also familiarized itself with the record of previous application on same premises; and

WHEREAS, it was brought out in the testimony at this hearing, that the return on this property is sufficient to pay the actual carrying charges, not including interest on mortgage; and

WHEREAS, it is the opinion of the board that the plot is far too small for the safe conduct of a gasoline service station.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

24-34-BZ.

APPLICANT—Goldie Harris, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7c of the building zone resolution, to permit the extension from a business district into a residence district of a proposed theatre and store building.

PREMISES AFFECTED—3117-3127 Surf avenue, northeast corner of West 32nd street (Block No. 7049, Lot Nos. 51, 53 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: E. Lawrence Heller and C. A. Sandbloom.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(24-34-BZ)

WHEREAS, Goldie Harris, applicant and owner, filed, January 29, 1934, an application under the building zone application to permit the extension from a business district into a residence district of a proposed theatre and store building; premises: 3117-3127 Surf avenue, northeast corner of West 32nd street (Block No. 7049, Lot Nos. 51, 53 and 58), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Surf avenue is in a business district; West 32nd street is in a residence district; West 31st street is in a residence district and Mermaid avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 25, 1934, re Applic. No. 55-1934, reads:

"Proposed theatre and stores to be located partly in a business use and partly in a residential district are contrary to art. II, sect. 3 of zone resolution."

and

WHEREAS, the building is to be of non-fireproof (theatre portion fireproof) construction, three stories in height, with a frontage of 101 ft. 4 in. on Surf avenue and 138 ft. 8 in. on West 32nd street, to be occupied as stores, apartments and moving picture theatre; and

WHEREAS, the board deemed that applicant had substantiated her basis of appeal under sections 7 (c) of the building zone resolution and was, therefore, entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7 (c), permitting the building as proposed to extend into the residential district for the distance indicated on the plans filed with this application on condition that that portion of the building extending into the residential district shall not exceed the height indicated; that the rear wall on the northerly lot line shall be unpunctured for the

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full height; that the building wall on West 32nd street shall be of face brick and there shall be no openings therein except those indicated on the plans filed with this application, namely, louvred windows and exit doors from stairway and fire escape; that there shall be no advertising displayed on the portion of the building within the residential area; that on the easterly lot line there shall be constructed a wall at the end and on the side of the entrance court, this wall to be constructed of brick, not less than 12 in. in thickness and not less than 7 ft. in height and there shall be no openings in this wall to the property adjoining; that other than as varied herein as to use and area district requirements of the building zone resolution, the building shall in every way comply with all laws applicable thereto.

148-33-BZ.

APPLICANT—Kennedy & Ellner, for Noviak Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar January 3, 1934).

PREMISES AFFECTED—Southwest corner of Hollis avenue and Cross Island boulevard (Block No. 1882, Lot No. 106), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy, Elie Tilles, Bert C. Schaefer, Mr. Troy.

For Opposition: S. W. Sollfrey, Samuel Geller.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(148-33-BZ)

WHEREAS, the application by Kennedy and Ellner, for Noviak Holding Corporation, was originally filed April 19, 1933; withdrawn October 10, 1933; reopened and restored to calendar January 3, 1934, under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: southwest corner of Hollis avenue and Cross Island boulevard (Block No. 1882, Lot No. 106), Hollis, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hollis avenue is in a business district; Cross Island boulevard, business and residence; 205th street is in a residence district and 110th avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 26, 1934, re Plan No. N. B. 235-1933, reads:

"The erection of a gas station in a business district is contrary to the zone law. Art. 2, sect. 4, subd. 46. Not further examined."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100.1 ft. on Hollis avenue and 89.5 ft. on Cross Island boulevard; upon which it is proposed to erect a one-story structure 28 ft. by 20 ft. in area to be occupied as office and auto laundry, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site was inspected by a committee of the board on March 29, 1934; and

WHEREAS, the board deemed that applicant has failed to substantiate his basis of appeal under section 21 of the building zone resolution, and, therefore, is not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

443-29-BZ.

APPLICANT—Helklar Realty Corp., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under sections 7c, 7 and 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—East side of Webster avenue, 700 ft. north of East 204th street (Block No. 3357, Lot Nos. 37 to 40), Borough of The Bronx.

APPEARANCES—

For Applicant: Herbert Klein.

ACTION OF BOARD—Application reopened and time extended to complete work.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(443-29-BZ)

WHEREAS, this application affecting premises east side of Webster avenue, 700 ft. north of East 204th street (Block No. 3357, Lot Nos. 37 to 40), Borough of The Bronx, was granted by the board March 22, 1932, on certain conditions, and time extended April 11, 1933, and applicant requests a further extension of the time limit imposed.

Resolved, that the resolution of the board adopted on March 22, 1932, be and it hereby is *amended* only so far as it refers to the completion of the work, so that as amended this portion of the resolution will read:

"In view of the statement by the applicant that all permits required have been obtained and are still in effect, the work involved shall be completed within one year from the date of this amended resolution *on condition* that the resolution adopted by the board on March 22, 1932, shall be complied with in all respects other than as amended herein."

77-32-BZ.

APPLICANT—Joseph Lagana and Paul Lagana, owners.

SUBJECT—Application for reopening—extension of permit under section 7f—re Application (decision of the superintendent of buildings), to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Nassau boulevard and Utopia parkway (Block No. 2785, Lot No. 5), Borough of Queens.

APPEARANCES—

For Applicant: Frederick J. Flynn.

ACTION OF BOARD—Application reopened and temporary permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
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Negative	0
Absent	0
THE VOTE TO EXTEND TEMPORARY PERMIT—	
Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(77-32-BZ)

WHEREAS, this application affecting premises northeast corner of Nassau boulevard and Utopia parkway (Block No. 2785, Lot No. 5), Borough of Queens, was granted by the board May 20, 1932, under section 7, subdivision f, on certain conditions, and applicant requests an extension of the variation period.

Resolved, that the resolution adopted by the board on May 20, 1932, be and it hereby is amended, only so far as it refers to the term for which this variance is granted, so that as amended the resolution will read:

"Granted under section 7, subdivision (f) for a period of two (2) years from the date of this amended resolution on condition that the resolution adopted by the board on March 20, 1932, shall be complied with in all respects other than as amended herein."

Adjourned, 2:15 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, APRIL 3, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

8-34-BZ.

APPLICANT—Kennedy & Ellner, for Wardell Holding Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy, Clarence Leventhall.

For Opposition: None.

ACTION OF BOARD—Laid over to April 24, 1934, at 2 p. m., for report of committee on inspection. No further argument.

555-29-BZ.

APPLICANT—Ralph B. Ittelson, for Starno Realty Corp., owner.

SUBJECT—Request for reopening—modification of resolution (re decision of the superintendent of buildings), under section 7 (c) and 21 of the building zone resolution, to permit in a residence district extending from a business district, the erection and maintenance of a hotel with stores on the first story.

PREMISES AFFECTED—56 West 59th street, 1430-36 Sixth avenue, southeast corner 59th street (Block No. 1274, Lot No. 71), Borough of Manhattan.

APPEARANCES—

For Applicant: Emory Roth.

ACTION OF BOARD—Request for reopening withdrawn.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant
Chief Kidney

Negative

Absent

308-33-BZ.

APPLICANT—Jacob E. Hurwitz, for Alice Fadool, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use.

PREMISES AFFECTED—195 Prospect Park West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Meyer Maltz.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners

Peppe, Savage and Blum and Assistant

Chief Kidney

Absent

THE RESOLUTION—

(308-33-BZ)

WHEREAS, Jacob E. Hurwitz, for Alice Fadool, owner, filed, September 25, 1933, an application under the building zone application to permit in a residence district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use; premises: 195 Prospect Park West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Prospect Park West is in a residence and business district, 15th street is in a residence and business district and 14th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 7, 1933, re Applic. No. 8418-33, reads:

"Proposed store to be located in a residential district is contrary to art. II, sect. 3 of zone resolution."

and

WHEREAS, the building is of non-fireproof construction, four (4) stories in height, with a frontage of 35 ft. 10 in. on 15th street and approximately 65 ft. on Prospect Park West, irregular in area, occupied as an apartment house. It is proposed to alter the easterly apartment on the 1st

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story of the existing multiple dwelling and to occupy it as a store, having a frontage of approximately 24 ft. and a depth of approximately 28 ft. Proposed alteration consists of removing some partitions, lowering to grade the existing floor, change the existing window to a plate glass show window and constructing a separate entrance to the portion of the premises in question; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE ON INSPECTION. Cal. No. 308-33-BZ.

Premises: 195 Prospect Park West, northwest corner 15th street (Block No. 1103, Lot No. 48), Borough of Brooklyn.

This is an application for a zoning variance to permit a portion of the first floor of a multiple dwelling to be used for business.

Except for the two corners of the circle known as Bartel Prichard square, which corners are at Prospect Park West and 16th street, the other frontages are zoned for residence use. There are existing non-conforming uses on this frontage, one at the southwest corner of 15th street, where the basement of an apartment is used for a real estate business, presumably in existence prior to the passage of the zoning resolution and the other non-conforming uses being east of the property under appeal and adjoining where, under Cal. Nos. 795-21-BZ, 695-22-BZ and 242-26-BZ, extension of existing business uses were granted.

The space in which business use is requested is now used as a beauty parlor and violations have been placed against the premises and there has been court action in connection therewith and a suspended sentence given because of the appeal filed with this board. At the hearing the applicant stated that he did not know there was an existing illegal use and might be misinformed as to its continuance. The inspection by the committee of the board on March 29, 1934, revealed, however, that the beauty parlor was in operation and signs denoting its presence were on the front windows. The entire apartment on the first floor, east of the entrance, is being used for the illegal occupancy. Objections have been filed by nearby property owners on 14th and 15th streets and their representative protested against the continuation of this illegal use and against the variance being granted, stating that the area was properly zoned for residence uses and should be so maintained.

It is clear that there is no hardship in requiring this owner to maintain his building according to the zoning requirements. The use of the first floor for business is clearly to increase his income with no regard for maintaining the residential character of the section, which is across from Prospect Park.

If this owner believes that this section should be rezoned, his recourse is to the Board of Estimate for a change of use of the two-block frontages between the business use on 16th street to the corner of 14th street. If the board granted this variance with the prospect that this owner would unquestionably make another request for a variance of the balance of the first floor, this board would by variances granted, together with existing non-conforming uses, usurp, in effect, the power of the Board of Estimate and Apportionment.

The committee is of the opinion that for the above reason, together with the failure to prove hardship and practical difficulty, that the appeal should be denied.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, the committee recommended the denial of the application, and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that application be and it hereby is *denied*.

198-33-BZ.

APPLICANT—John J. Hegarty, for Port of New York Authority, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar January 3, 1934).

PREMISES AFFECTED—West side of Haven avenue, 217 ft. 4½ in. north of West 172nd street (Block No. 2139, part of Lot Nos. 275 and 357), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Hegarty, Charles Horowitz.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(198-33-BZ)

WHEREAS, John J. Hegarty, for Port of New York Authority, owner, filed, May 29, 1933, an application under the building zone application to permit in a residence district the erection and maintenance of a gasoline service station, which application was withdrawn July 18, 1933, reopened and restored to calendar January 3, 1934; premises: west side of Haven avenue, 217 ft. 4½ in. north of West 172nd street (Block No. 2139, part of Lot Nos. 275 and 357), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Service street is in a residence district, Haven avenue is in a residence district and West 173rd street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 10, 1934, re N. B. App. No. 51, 1933, reads:

"1. Gasoline service station is not permitted in a residence district. Section 3, building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on Service street and a maximum depth of 77 ft. 7 in. upon which it is proposed to erect an office 44 ft. by 19 ft. and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal was the subject of an inspection and report by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 198-33-BZ.

Premises: West side of Haven avenue, 217 ft. 4½ in. north of West 172nd street (Block No. 2139, part of Lot Nos. 275 and 357), Borough of Manhattan.

The premises under appeal are located on the easterly side of the ramp known as Service street leading from Riverside drive to the George Washington

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Bridge. On Service street the plot under appeal has a length of 180 ft. and a depth varying from 65 to 77 ft. and its rear line, which is the street line of Haven avenue, is 200 ft. in length. While this property is reported in this application as being on the west side of Haven avenue it actually has no opening thereon, for the reason that Haven avenue is on the top of the ledge 75 ft. above the grade of the westerly frontage of this property abutting Service street. On this plot is a large mass of natural ledge rock which not only supports the vertical stone wall which retains Haven avenue but also has considerable natural beauty from the point of view of Riverside drive. This ledge rock would have to be removed to the grade of Service street to permit of the proposed gasoline station.

The plot is within an area zoned for residential use and adjoining the plot to the south are several apartment houses which open on Haven avenue and which are supported on steel and masonry foundations several stories in height. Adjoining this site on the north is a larger area of the same general character. On the opposite side of Haven avenue are apartment houses south of West 173rd street and the J. Hood Wright Park is north of that street.

The applicant in this case signs the application as the authorized agent for the owner, which is the Port of New York Authority, and it is stated in the memorandum in support of the petition that the applicant is the equitable owner of these premises, having entered into a contract to purchase same from the Port of New York Authority. A statement is also made that this petition is brought in the name of the Port of New York Authority with their consent. There seems, however, to be a disagreement on this point between the applicant and the Port of New York Authority as shown in a letter dated January 29, 1934, signed by Austin J. Tobin and referring to a letter dated June 20, 1933, in which the following paragraph appears:

"We wish no implication to appear on the records of your honorable board that the Port Authority is either directly or indirectly making this application. The facts in this matter and the Port Authority's attitude with respect to it were thoroughly covered by the undersigned on the occasion of your hearing of July 14, 1933, with respect to this application."

It appears that an optional contract was entered into between the applicant and the Port of New York Authority's representative by which the applicant might exercise his option prior to October 1, 1933, to buy the property for \$28,000. It is not known to the board whether the date to exercise this option has been extended. The sum of \$100 was paid down at the time of signing this option agreement. It appears that the Port of New York Authority do not wish to erect this gasoline station and operate it themselves and have accordingly entered into this agreement to sell the property and require that the station shall be in harmony with the surroundings. A representative of the Port of New York Authority stated they were wholeheartedly in favor of the station to be located at this point; that it will help the public convenience of the motorists using the bridge; that they now maintain at great expense a motor service to help cars stalled on the bridge and that they maintain a towing service which is very expensive and which they would be happy to dispense with. From this it would appear that the station would be not only a gasoline station but would also be a headquarters for towing equipment.

This application is made under section 21, hardship, and it is claimed the property cannot be used for anything else but a gasoline station. Testimony from a real estate expert and plans and financial setups have been submitted to show any apartment erected at the prevailing costs and the rate of rentals would not be profitable. This real estate expert placed the value of

the property at the present time at one dollar unless the gasoline station is granted by the board, in which case it can be sold for \$28,000 if the applicant should exercise his option.

The Port of New York Authority purchased this property and adjoining property for the purpose of constructing the ramp to the bridge. The plot to the north which has similar characteristics and which is more than twice the area would be equally available as a site for a gasoline station.

While the claim is made that an apartment house cannot be profitably constructed the fact remains that apartment houses have been constructed to the south on similar property, although of greater horizontal depth.

The commissioner of parks has filed an objection to this application, stating in part: "In view of the picturesque surroundings a gasoline station of no matter what design would be entirely incongruous at this location. It would impair the natural rugged beauty of this property. It would be better if it remained undeveloped and was appropriately landscaped in conformity with the general surroundings. In any event the proposed commercial use is undesirable. Considering the character of the adjoining property, the proximity of the proposed site to the J. Hood Wright Park, Riverside drive and Fort Washington Park and that the proposed use would be the only non-conforming use in this section and that similar variances might be requested . . . on behalf of the Department of Parks I urge that your board deny this application."

It might be noted that the former commissioner of parks, having objected in a letter of June 23, 1933, to this non-conforming use on the ground it would commercialize residential property fronting on a public park and mar the attractiveness of the easterly slope fronting on Riverside drive, withdrew his objection on July 13, 1933, after inspecting the proposed plan, stating that he originally based his objection on the supposition it was to be of the usual style and character and perhaps with a garage attached.

Since the hearing a letter has been received from the chief engineer of the Department of Public Works opposing this application on the following grounds: "Further inquiry shows that it is proposed to cut this lot down between Haven avenue and Service street to a level with Service street, thereby leaving the retaining wall on the west side of Haven avenue, 75 ft. in the air supported on a rock ledge. If the rock ledge upon exposure of the air disintegrates as similar rock ledges have in the immediate vicinity, the safety of Haven avenue will be seriously involved."

This plot has been inspected by a committee of the board on several occasions since the case was first filed and later withdrawn and still later reopened, the last inspection being on March 22, 1934, after the latest hearing. The committee carefully inspected the premises and is of the opinion that from the standpoint of public interest, public health, safety and general welfare, that this application should be denied. In endeavoring to find hardship the committee is of the following opinion: That any hardship upon the applicant as the holder of the option is entirely financial, as a refusal to grant the variation might deprive him of expected profits; that the hardship on the Port of New York Authority as owner, a governmental agent, is non-existent, as in the opinion of the committee they were under obligation to refrain from marring the approaches to the George Washington Bridge, which the committee believes would be impaired by the construction of the gasoline station and accommodations for towing service, even though the office building itself might be an attractive building. Also if the owner feels it necessary to dispense with the property that it would be possible on a return to better conditions to construct an apartment house thereon or make a sale of the property for that purpose, particularly if

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the stories below Haven avenue were used for apartments, which apparently has not been taken into account in the financial setups submitted.

It might be claimed that the Port of New York Authority in being deprived of the sale is suffering hardship by not being allowed to reduce their bonded indebtedness, in the opinion of the committee this is an unimportant consideration and the public welfare more than offsets this, particularly as the public might be put to serious expense if as a result of line drilling this ledge the safety of Haven avenue was jeopardized.

The committee recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
VINCENT C. PEPPE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of this application and the board deemed that applicant had failed to substantiate the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

284-32-BZ.

APPLICANT—Arthur H. Haaren, for Rock Jay Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously denied under section 7f; reopened under section 21, December 27, 1933).

PREMISES AFFECTED—West side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Arthur H. Haaren.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(284-32-BZ)

WHEREAS, the application of John W. McClancy for the Rock Jay Realty Corp., owner, was filed May 24, 1932, under section 7, subdivision f, of the building zone resolution, and denied November 4, 1932 and reopened December 27, 1933, on request of Arthur H. Haaren, for the same owner, under section 21 of the said resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: west side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cross Island boulevard is in a business district, Crocheron avenue is in a business district, 35th avenue is in a business district and 194th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 9, 1934, re Plan No. 1138-32, reads:

"1. The erection of a gasoline service station in a business district is contrary to the zone resolution (art. 2, sec. 4, sub. 46 BZR) Not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 116 ft. on 35th avenue, 20 ft. on Cross Island boulevard and 126 ft. on Crocheron avenue—upon which it is proposed to erect a one-story structure, 65 ft. by 26 ft. in area, to be used as auto laundry, grease pits and office, and proposes also to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal was the subject of an inspection by a committee of the board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 284-32-BZ.

Premises: West side of Cross Island boulevard, south side of 35th avenue and north side of Crocheron avenue (Block No. 972, Lot No. 18), Bayside, Borough of Queens.

The plot under appeal is at the point of a triangular block between Crocheron avenue and 35th avenue (State street), Borough of Queens. Opposite this point there are intersections of several streets, namely, Cross Island boulevard, Crocheron avenue, 35th avenue, 195th street and Jordan street. All the property abutting this intersection, including the property under appeal, is zoned for business and the property in the rear of 100 ft. business area is generally zoned for residence.

The original application, under the same calendar number, was filed on May 24, 1932, under section 21, and during the hearing on October 24, 1932, the then applicant amended the application to have it come under section 7, subdivision "f". The hearing, however, at that time was as much on the question of hardship as whether this plot was in an undeveloped area.

It appears from the previous hearing and the present hearing that the property was bought in 1925, just prior to the amendment of the zone resolution, prohibiting gasoline service stations in business districts. The owner of the plot under appeal and his associates are the owners of the entire block, No. 972, with exception of Lot No. 1 on 192nd street.

The plot was inspected after the previous hearing and it was found that the locality could not be considered an outlying, undeveloped section, and the application was denied under section 7, subdivision "f". The committee found that the properties in all directions are substantially developed with one and two-family dwellings and the property is in the heart of this development. That there are good transit facilities by railroad and bus.

At the hearing on March 20, 1934, the application by a new applicant representing the same owner, was for a variance of the zone resolution to permit a gasoline service station under section 21. Similar points were raised as were raised in the previous hearing, the hardship claim consisting of the cost of carrying the property and the absence of structures within the immediate vicinity. It appears that taxes have remained unpaid eight years and interest on the mortgage two years and that the property is about to be foreclosed.

It developed at the hearing that of the consents filed a number were by the same owner as the owner of property under appeal. Those who have filed objections are owners of property immediately adjacent and also owners of property facing on the same intersecting streets, which could be considered equally available for a gasoline service use.

There have been several cases before the board for gasoline service variances at this intersection and applications have either been denied or withdrawn.

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One owner opposite the premises stated in opposition that they were now contemplating the erection of an apartment house. Reference was made by applicant to gasoline station granted by the board three blocks to the north. The conditions surrounding this were entirely different and the conditions have no influence on the site under appeal.

A committee of the board inspected this site on March 22, 1934, and is of the opinion that no hardship has been shown and that a gasoline station, which would be the first non-conforming use in this immediate area, should not be granted as, while it might be a temporary financial assistance to the owner, it would interfere considerably with the proper development of the area and cause more financial hardship on adjoining owners, particularly the immediate house owners, more than offsetting relief to the owner in this case. The committee recommends that the application be denied.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and
WHEREAS, the report of the committee recommended the denial of this application, and the board deemed that applicant had failed to substantiate the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE ORDERS.

60-34-A

APPELLANT—Ernest M. Van Norden, for the United Electric Light and Power Co., owner.
SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Southeast corner of Locust avenue and East 134th street (Block No. 2583, Lot Nos. 365 and 369), Borough of The Bronx.

APPEARANCES—

For Appellant: Ernest M. Van Norden.

For Administration: Inspector Meyer, of fire department.

ACTION OF BOARD—Laid over to April 24, 1934, at 2 p. m., for inspection by a committee of the board.

13-34-A.

APPELLANT—Circle Dance Land, for Reisenweber's, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—985 Eighth avenue (Block No. 1048, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Appellant: Anthony J. Lallo.

For Administration: Inspector Meyer, of fire department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(13-34-A)

WHEREAS, Circle Dance Land, for Reisenweber's, Inc., Lessee, filed, January 22, 1934, an appeal from an order of

the fire commissioner, affecting premises 985 8th avenue (Block No. 1048, Lot No. 33), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated January 3, 1934, reads:

"In response to the request made in this office, be advised that the fire department does not re-issue an order so that it may be taken to the Board of Standards and Appeals when the twenty-day time limit in order to make the appeal has expired.

"However, order numbered 70415-LC, issued against the refrigerating plant maintained by the Circle Danceland at the above location, reads as follows, and must be complied with:

"1. Remove or cut off the refrigerating system from the building or parts of the building, by unpierced fireproof construction, as per section 219-f, chapter, 10, code of ordinances.

"2. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room in accordance with the requirements of section 220-2-d of chapter 10, code of ordinances."

and

WHEREAS, the building is of fireproof construction, 3 stories in height, 50 ft. by 120 ft. in area; OCCUPIED: 1st story, theatre, 520 seats; 2nd story, dance hall, 3rd story, meeting room; and

WHEREAS, the appellant claims as to item 1, that the refrigerating machinery room is located in the adjoining fireproof building at north, having a communicating opening protected by two automatic fire doors (one on each side of the wall) on 2nd story; the refrigerating machinery room contains a unit with less than 20 pounds of Dichlorodifluoromethane, a compressor and water condensing system; there is a 1/4 in. copper flow pipe extending through the party wall and to the soda counter in the building under appeal, where it circulates through three sets of coils for freezing ice cream, keeping ice water and food, and a 1/4 in. copper return pipe to the machine room; the copper pipes are protected by an outer sleeve from damage; the refrigerating machinery room is separated from the rest of the fireproof building in which it is situated by fireproof walls, floors and ceiling and by a fireproof stairway leading up and down to fireproof doors opening to other parts of the buildings; as to item 2, the refrigerating machinery room is ventilated by means of two windows, each about 3 ft. x 5 ft, opening to an interior disused dumbwaiter shaft extending up to roof; however, the appellant proposes to provide mechanical means of ventilation by installing a 1/4 H.P. motor, a metal air duct 8 in. in diameter, extending to outer air, capable of discharging more than 150 cubic feet of air per minute; furthermore, the appellant contends that under such conditions no dangerous hazard would exist; the lessee would suffer an unnecessary hardship if forced at this time to incur additional expense.

Resolved, that the order of the fire commissioner, No. 70415-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the refrigerating room, where indicated, shall be enclosed in fireproof material from floor to ceiling with a fireproof door made vapor-tight; that the openings from the refrigerating room to the airshaft shall be sealed tight; that there shall be constructed a metal duct from the refrigerating room up the airshaft to a point at least 3 ft. about the roof, this metal duct to be vapor-tight and not less than 64 sq. ins. in horizontal area and opening into the refrigerating room at a point not less than 1 ft. above the floor and with a case enclosed exhaust fan attached thereto, with a capacity of not less than 250 cubic feet of air per minute, this exhaust fan to be controlled by a switch placed on the exterior of the refrigerating room partition; that the copper tubing from this refrigerating room to and from the soda counter shall be enclosed in rigid metal sleeves with tight connections at all points; that there shall be

MINUTES

installed in the opening between the second floor and the section of the adjoining building in which the refrigerating room is located, double approved underwriters fire doors; and that there shall be at no time more than 20 pounds of refrigerant in use, that the equipment shall at all times be under the charge of a person holding a certificate of fitness.

45-33-A.

APPELLANT—Kritzer Barnes, for 112 to 118 Bleecker Street, Man., Inc., lessee.

SUBJECT—Appeal from orders of the commissioner of buildings.

PREMISES AFFECTED—112-116 Bleecker street (Block No. 524, Lot Nos. 47 and 49), Borough of Manhattan.

APPEARANCES—

For Appellant: Kritzer Barnes.

For Administration: Inspector Maher, of Dept. of Buildings.

ACTION OF BOARD—Appeal granted, on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(45-34-A)

WHEREAS, Kritzer Barnes, for 112 to 118 Bleecker street, Manhattan, Inc., lessee, filed, February 16, 1934, an appeal from orders of the commissioner of buildings, affecting premises 112-116 Bleecker street (Block No. 524, Lot Nos. 47 and 49), Borough of Manhattan; and

WHEREAS, the orders of the commissioner of buildings, dated January 26, 1934, reads:

"Order No. 8675-F

1. Arrange the house water supply pipe so that same will connect with tank on the outside thereof above the 3,500 gallon mark only."

"Order No. 8676-F

1. Raise standpipe tank to twenty feet above the outlet of highest story and properly support same. Section 580-1 Chapter 5, Code of Ordinances and Rules of the Board of Standards and Appeals"; and

WHEREAS, the two buildings are non-fireproof, 8 stories (105 feet) in height, 75 feet by 90 feet in area; OCCUPIED as tenant factories; located within an unrestricted district; and

WHEREAS, the appellant claims the two buildings were erected about 1900, having communicating openings on the 1st, 2nd, 4th and 7th stories, the total floor area of both buildings is less than 6,000 square feet, equipped with a standpipe system fed from two 1,250 gallon house supply tanks (one tank on each building), the bottoms of which are 11 feet above the highest hose outlet, no reserve provided for standpipe lines; the standpipe risers are cross connected at curb level; the two buildings are also entirely covered on all floors with a sprinkler system fed from a 10,000 gallon gravity tank and a 7,500 gallon pressure tank, having central office water-flow alarm connection through the American District Telegraph Company; however, the appellant proposes to cut off the house supply pipe entirely from one tank and re-arrange the house supply pipe connection of the other tank so as to maintain a reserve of 2,000 gallons for the standpipe lines; furthermore, the appellant contends the buildings have been operated at a loss in 1932, and in 1933 expenses were just paid, and it would therefore create an unnecessary hardship if forced to incur additional expense at this time.

Resolved, that the orders of the commissioner of buildings Nos. 8675-F and 8676-F be and they hereby are modified; and that the appeal be and it hereby is granted on condition that a house supply equalizing line between the two tanks shall be installed; that the supply for house

service shall be taken from the top of both tanks at a point above the total of 2,000 gallons, so that 2,000 gallons from the two tanks will at all times be available for standpipe service only; that the bottoms of the tanks shall be not less than 11 feet above the highest hose outlet; that the standpipe system except as modified herein shall comply with Rule 91 of the Standpipe Fireline Rules in all respects; that the sprinkler system shall be maintained in good working order at all times including the Central office water flow alarm connection.

58-34-A.

APPELLANT—Harold B. Jersey, for W. M. Evans Dairy Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—3484 Fulton street (Block No. 4152, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Appellant: Harold B. Jersey, Thomas Wilmarth.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(58-34-A)

WHEREAS, Harold B. Jersey, for W. M. Evans Dairy Co., Inc., owner, filed March 2, 1934, an appeal from an order and a decision of the fire commissioner, affecting premises 3484 Fulton street (Block No. 4152, Lot No. 26), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated (no date marked), re Order No. 37281-LC, reads:

"1. Discontinue the storage and use of chlorine gas on second story, section 214A.

"2. Provide a room or compartment in which to keep and use liquified chlorine. Such room shall be constructed of fireproof material, located on the ground floor and must be easily accessible from street or yard, section 214A."

and

WHEREAS, the decision of the fire commissioner, dated March 2, 1934, reads:

"In reply to your letter of March 2nd, advising that you have been retained by the owners to appeal from the requirements of Order No. 37281-LC and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, twenty days, had elapsed, and request dismissal or reissuance of the above order.

"You are advised that the order cannot be dismissed or reissued. Therefore, your request is denied."

and

WHEREAS, the building is of brick construction with concrete floors, 3 stories in height, 58 ft. 4 in. by 58 ft. in area; OCCUPIED: cellar, boiler and engine room, 2 persons; 1st story, dairy, 6 persons; 2nd story, bottle washing, 5 persons; 3rd story, pasteurizer, one person; located in a business district; and

WHEREAS, the appellant claims the building is fireproof, erected in 1914, with special construction arranged to use the 2nd story for bottle washing; the Department of Health has authorized the use of chlorine for the sterilization of milk bottles; it is proposed to place one cylinder of liquefied chlorine in an open steel tank, on 2nd story near the washing machines in the front room, connected by piping to a Wallace & Tiernan chlorinator, the chlorine

MINUTES

cylinder will be completely submerged in water; not more than one 100-pound cylinder of liquefied chlorine will be in use or stored on the premises at any time; the bottle washing room is large and provided with adequate ventilation; furthermore, the appellant contends the chlorine operator has a certificate of fitness issued by the fire commissioner; under the proposed arrangement there will be no dangerous conditions.

Resolved, that the order and decision of the fire commissioner, re Order No. 37281-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that at no time shall there be more than 100 lbs. of chlorine on the premises; that this tank shall be kept immersed in water and shall be installed in a fire-proof room constructed against the outer wall of the building; with a door thereto made vapor-tight; that there shall be louver openings to the outside air near the floor and near the ceiling kept open at all times; that there shall be an open sprinkler head installed in this compartment, water supply to be taken from the house service and with a valve controlling this sprinkler head outside the enclosure; that the chlorine shall be mixed by a regulating apparatus of the Wallace and Tiernan make or equivalent satisfactory to the commissioner; that the equipment shall at all times be under the charge of a person holding a certificate of fitness for this purpose.

APPLIANCES SUBMITTED FOR APPROVAL.

48-34-SA.

PETITIONER—Albert Bliss, for Kolrid Oil Burner Corp., owner.

SUBJECT—Kolrid Range Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, pending action on the proposed revision to the Fuel Oil Rules.

369-33-SA.

PETITIONER—S-K Company, Inc., owner.

SUBJECT—S-K Oil Burner, Model F—application for reopening—(amendment to resolution to include approval for commercial use).

APPEARANCES—

For Petitioner: Byron Tullar.

ACTION OF BOARD—Petition reopened, restored to the calendar, placed on reserve calendar and referred to the engineer of the board and the bureau of combustibles, fire department for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

82-33-SA.

PETITIONER—H. M. Ficken, for S. A. Giacobbe, owner.

SUBJECT—Inferno Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(82-33-SA)

WHEREAS, H. M. Ficken, for S. A. Giacobbe, owner, filed, January 22, 1934, a petition with the board of standards and appeals for approval of the device known as the Inferno Oil Burner.

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This is a mechanical draft gun type pressure atomizing oil burner and consists of the following parts:

Webster fuel unit consisting of pump, strainer, regulating and cut off valve, General Electric $\frac{1}{4}$ H.P. motor, Webster transformer 110-10,000 volts, blower made by the Pioneer Blower Company, Nitralloy nozzle. The pump and fan are driven on the same shaft by the electric motor.

Ignition—Electric.

Controls—The burner is furnished with standard Minneapolis Honeywell controls, consisting of Protectorelay R-117-3 and Pressurestat.

The assembly of the burner was examined and upon testing spark, same was found to be of proper length and intensity. With the oil shut off in cold combustion chamber, the burner was started and the stack switch shut the motor down in 74 seconds on two successive tests. During the period of the test there were no puff backs nor flares. The flame was clear and without smoke. Examination of the combustion chamber showed no undue deposits of carbon.

We therefore recommend that the Inferno Oil Burner be approved for domestic and commercial installations when installed in accordance with the Fuel Oil Rules adopted by the board of standards and appeals.

Resolved, that the board of standards and appeals does hereby approve the device known as the Inferno Oil Burner, for use in domestic and commercial installations when installed in accordance with above report and the Fuel Oil Rules of the board of standards and appeals.

Adjourned, 5:35 p. m.

EDWARD V. BARTON, Chief Clerk.

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

FIRST QUARTERLY REPORT

CITY OF NEW YORK

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

MUNICIPAL BUILDING

April 10, 1934.

Hon. Fiorello H. LaGuardia,
Mayor, The City of New York,
City Hall, New York City.

DEAR SIR:—

I have the honor to submit to you the First Quarterly Report of the Board of Standards and Appeals for the year 1934. This report is being submitted to you in accordance with the provisions of the Charter, Section 1544, and will also be printed in the Bulletin of the Board.

CASES FILED AND PENDING, 1934

FILED 1934	A	BZ	S	SA	SR	M'L	T'L	GR.T'L
JANUARY	8	14	0	4	0	45	71	..
Restored	1	9	0	0	0	0	10	81
FEBRUARY	6	13	0	10	0	36	65	..
Restored	0	3	0	1	0	0	4	69
MARCH	11	13	3	3	0	48	78	..
Restored	0	3	2	3	0	0	8	86
TOTAL	26	55	5	21	0	129	236	236
PENDING								
Dec. 31, 1933....	51	99	2	58	2	0	212	212
GRAND TOTAL ..	77	154	7	79	2	129	448	448
DISPOSITION								
1934								
JANUARY	8	22	0	8	0	45	83	..
FEBRUARY	7	24	1	16	0	36	84	..
MARCH	6	26	1	10	0	48	91	258
TOTAL	21	72	2	34	0	129	258	258
PENDING								
March 31, 1934.	56	82	5	45	2	0	190	190

Code: A—Appeals from Administrative Orders. BZ—Applications under Building Zone Resolution. S—Petitions for Variations of Labor Law. SA—Petitions for Approval of Appliances. SR—Petitions for Adoption of Rules. M'L—Miscellaneous Docket.

RULES FOR THE TESTING OF WOOD

Pursuant to the Provision of Section 356 of Chapter 5 of the Code of Ordinances (Building Code).

(639-27-SR)

Adopted by the Board of Standards and Appeals July 22, 1927. Amended March 16, 1928.

Rule 1. Before any wood may be used for flooring or interior trim where incombustible materials are required under the provisions of section 356 of the Building Code, the commissioner of buildings must be notified promptly upon the delivery at the job of a consignment of such material. One test sample for each 2,000 feet of material will then be selected by a representative of the Department of Buildings, marked for identification, and forwarded to the testing laboratory, where, under the supervision of the commissioner of buildings or his representative, the samples shall be subjected to the following tests:

Before making tests, all specimens for testing shall be oven dried at a temperature of 140° F. to a point where there is no further loss of weight due to evaporation of moisture content.

A. SHAVING TEST—A mass of shavings cut fairly thick from the outside and interior of sticks of the treated wood are to be tested separately. These shavings shall be placed to a depth of two inches in a metal vessel twelve inches square, the bottom of which shall consist of a wire screen of ½ inch mesh. The shavings shall be packed down moderately to reduce the air spaces. A Bunsen yellow flame shall then be placed beneath the receptacle so that the flame is in contact with the shavings. After twenty-five seconds the flame shall be removed. The flame at no time should show higher than six inches above the top of the bed of shavings and the shavings should not be consumed in less than five minutes.

FIRST QUARTERLY REPORT

SUMMARY

DOCKET.

Cases pending December 31, 1933.....	212
Cases filed up to March 31, 1934.....	85
Restored to Calendar	22
MISCELLANEOUS APPLICATIONS	
Requests to reopen.....	74
Requests to amend.....	28
Requests for modification.....	1
Requests to rescind.....	0
Requests for extension of time.....	12
Requests for extension of permit.....	7
Requests for mechanical installations.....	0
Requests for approval of plans.....	6
Administrative requests	0
Requests for interpretation.....	1
Total.....	448
Disposed of	258
Cases pending March 31, 1934.....	190

DISPOSITION OF CASES.

Withdrawn	17
Dismissed	3
Denied	30
Granted	0
Granted on condition.....	45
Appliances approved.....	12
Appliances dismissed, disapproved or withdrawn....	22
Rules approved.....	0
Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS ACTIONS.	
Requests to reopen granted.....	65
Requests to reopen denied.....	6
Requests to amend granted.....	28
Requests to amend denied.....	0
Requests for modification granted.....	1
Requests for modification denied.....	0
Requests to rescind granted.....	0
Requests to rescind denied.....	0
Requests for extension of time granted.....	12
Requests for extension of time denied.....	0
Requests for extension of permit granted.....	7
Requests for extension of permit denied.....	0
Requests to install granted.....	0
Requests to install denied.....	0
Plans approved.....	6
Plans disapproved.....	0
Administrative requests granted.....	0
Administrative requests denied or withdrawn.....	0
Interpretations	1
Requests withdrawn or dismissed.....	3
Total	258

MONEYS RECEIVED

SUBSCRIPTIONS	JANUARY	FEBRUARY	MARCH	TOTAL
To Bulletin	\$77.50	\$35.00	\$85.00	\$197.50
Cash Sales	32.90	43.60	68.20	144.70
Paid to Chamberlain.....	\$110.40	\$78.60	\$153.20	\$342.20

EDWARD V. BARTON, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

RULES FOR THE TESTING OF WOOD

B. TIMBER TEST. Two samples $\frac{3}{4}$ inch by $1\frac{1}{2}$ inches in cross section and twelve inches long shall be laid side by side across the top of a gas crucible furnace with a pyrometer between them. The specimens shall be subjected to a flame at 1700 deg. Fahrenheit for two minutes, the test pieces shall then be removed, and the time of duration of flame and glow observed. The sticks shall then be cut through the middle at the most burned section and the area of the unburned wood measured with a planimeter. The flame must not persist longer than 15 seconds nor the glow longer than 20 seconds, and, in the case of hard woods, the unburned area should not be less than 55 per cent., nor in the case of soft woods less than 45 per cent.

C. CRIB TEST—Twenty samples are to be prepared, each $\frac{1}{2}$ inch square and 6 inches long. These shall be built up on a ring support to form a crib work five tiers high, four sticks to a tier, making the crib six inches by six

inches, and approximately $2\frac{1}{2}$ inches high. The crib shall be set six inches above a Bunsen burner to which the crib shall be exposed for a period of one minute at a temperature approximating 1200 deg. Fahrenheit. The flame must not persist more than twenty seconds after the Bunsen burner is removed, nor the glow last more than thirty seconds. The tendency of the flame to spread from stick to stick must also be noted.

Rule 2. All of the above tests shall be at the expense of the owner or contractor, or other interested party.

If the tests are satisfactory the entire shipment will be permitted to be taken into the building and used. If not, the entire shipment shall be condemned and must be removed from the premises.

In general, acceptance shall be predicated upon the existence of a complete plant in full working order from which the material is shipped, and each shipment, or, where possible, each piece shall be trade marked in a conspicuous manner so that there may be no doubt as to its identity.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	17
Cases filed up to April 4, 1934.....	90	Dismissed	4
Restored to Calendar.....	23	Denied	35
		Granted	0
		Granted on condition.....	49
		Appliances approved	13
		Appliances dismissed, disapproved or withdrawn....	22
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	79	Requests to reopen granted.....	68
Requests to amend.....	28	Requests to reopen denied.....	6
Requests for modification.....	1	Requests to amend granted.....	28
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	13	Requests for modification granted.....	1
Requests for extension of permit.....	8	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	6	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	13
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	461	Requests for extension of permit granted.....	8
Disposed of	276	Requests for extension of permit denied.....	0
Cases pending April 4, 1934.....	185	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	6
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	5
		Total.....	276

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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APR 21

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 16

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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This issue of the Bulletin contains, in the order given—

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Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Special Meeting, April 6, 1934, at 2 P. M.

Minutes of Regular Meeting, April 10, 1934, at 10 A. M.

Minutes of Regular Meeting, April 10, 1934, at 2 P. M.

Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

Approved Burners for Industrial Use.

Reserve Calendar.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, April 16, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, April 23, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to April 11, 1934.

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected.</i>
98-34-A.....	D.B.M.....	598 Broadway and 132 Crosby st. (Block 511, Lot 15), Manhattan. 6036-F.
97-34-S.....	D.B.M.....	48-56 West 48th st. (Block 1263, Lot 61), Manhattan. 4731-LF.
96-34-BZ.....	D.B.Q.....	Northwest Cor. Farmers blvd. & 115th road (Block 1336, Lot 58), St. Albans, Q. N. B. 289-34.
95-34-BZ.....	D.B.Q.....	134-07 Linden st. (ave.) (Block 4951, Lot 27), Flushing, Q. N. B. 194-34.
94-34-A.....	F.D.....	1941-1957 Park ave., 101-121 E. 131st st., 100-116 E. 132nd st., E. S. of Park ave. from 131st st. to 132nd st. (Block 1780, Lot 1), Manhattan. 1249-LC.
93-34-A.....	D.B.M.....	682 6th ave. (Block 823, Lot 4), Manhattan. 10765-F.
92-34-SA.....	F.D.....	Autocall Interior Fire Alarm Systems, Appliance.
91-34-S.....	D.B.M.....	536-538 West 20th st. (Block 691, Lot 1), Manhattan. 5326-LF.
<i>Restored to Calendar.</i>		
459-32-BZ.....	D.B.Q.....	111-03 Merrick road and 171-08 111th ave., S. E. Corner (Block 1281, Lot 39), Jamaica, Queens. Plan No. 164-34.
3-31-BZ.....	D.B.Q.....	250-21 Northern blvd. (Block 3984, Lot 89), Little Neck, Queens. Decision.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

	<i>Last Publication in Bulletin</i>
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime)	Jan. 9, 1934—Vol. 19 No. 2
Elevator Rules	Dec. 12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors)	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules	Nov. 14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior)	Sept. 26, 1933—Vol. 18 No. 39
Fire Drill Rules	May 30, 1933—Vol. 18 No. 22

Fire Retarding Rules for Garages, etc.	Nov. 28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of	Apr. 10, 1934—Vol. 19 No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4 No. 3
Fuel Oil Rules	Jan. 2, 1934—Vol. 19 No. 1
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10 No. 14
Hatchway Protection	June 5, 1928—Vol. 13 No. 23
Paint, Varnish and Lacquer Spraying Rules	Apr. 17, 1934—Vol. 19 No. 16
Plumbing Rules	Mar. 27, 1934—Vol. 19 No. 13
Procedure, Rules of	June 20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O.	Feb. 13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules	Jan. 16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules	Sept. 26, 1933—Vol. 18 No. 39
Structural Alterations, Reporting	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves	Apr. 3, 1934—Vol. 19 No. 14
Fuel Oil Burners for Domestic and Commercial Use	Apr. 3, 1934—Vol. 19 No. 14
Fuel Oil Burners for Industrial Use	Apr. 17, 1934—Vol. 19 No. 16
Fuel Oil Pumps	Apr. 3, 1934—Vol. 19 No. 14
Paint, Varnish and Lacquer Spraying Equipment	Apr. 17, 1934—Vol. 19 No. 16

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 16, 1934, AT 2 P. M.

Building Zone Cases

1213-24-BZ.

APPLICANT—Chas. Schaefer, Jr., for T. & R. Construction Co., Inc., owner.

PREMISES—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously denied for a garage; reopened October 3, 1933).

68-34-BZ.

APPLICANT—Irving Kirshenblit, for Sarah Feman, owner.

PREMISES—384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type).

73-34-BZ.

APPLICANT—Michael Levine, for Karron & Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5" south of 20th avenue (Block No. 5464, Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station.

375-33-BZ.

APPLICANT—Martin J. Ort, for Dandern Realty Co., owner.

PREMISES—Southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

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35-34-BZ.

APPLICANT—Samuel Roth, for Fannie Levy, owner.
PREMISES—74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

1304-25-BZ.

APPLICANT—Samuel Fish, for Samuel Berman, owner.
PREMISES—2447 Coney Island avenue, east side, 301'1" north of Avenue V (Block No. 7343, Lot No. 61), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the change of occupancy of an existing building to a motor vehicle repair shop and, also, garage for five (5) motor vehicles (reopened March 20, 1934).

APRIL 17, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 17, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 28-34-BZ—Application, January 31, 1934, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Nac Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.

CAL. NO. 396-30-BZ—Application, June 14, 1930; withdrawn September 30, 1930; reopened December 5, 1933, under section 21 of the building zone resolution, of Benjamin Baser, applicant, on behalf of Isidor Schraub and Celia Silverman, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises 65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 21), Woodside, Borough of Queens.

CAL. NO. 383-33-BZ—Application, December 27, 1933, under section 21 of the building zone resolution of Aaron G. Alexander, applicant, on behalf of Matin Realty, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos. 1, 8 and 11), The Bronx.

CAL. NO. 15-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolu-

tion, of Julius Auserehl, applicant and owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 347-33-BZ—Application, November 17, 1933, under section 21 of the building zone resolution, of Aaron H. Schwartz, applicant, on behalf of Webames Realty Corporation, owner, to permit in a residence district the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling; premises 138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), The Bronx.

CAL. NO. 1236-27-BZ—Application, November 22, 1927; granted on certain conditions May 29, 1928; extension of time granted November 27, 1928, and the time within which to obtain permits and complete work has expired; reopened January 9, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Dorothy Rehder, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueeduct, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1934, 2 P. M.

Appeal from Administrative Order.

64-34-A—121-131 West 19th street (Block No. 795, Lot No. 27), Manhattan.

Petitions for Variations.

336-33-S—435-445 Fulton street and 408-420 Jay street, northwest corner (Block No. 150, Lot No. 1), Brooklyn.

61-34-S—91-95 Harrison place (Block No. 2998, Lot No. 45), Brooklyn.

Appliances Submitted for Approval.

69-34-SA—Max Ashpes Pot Type Oil Burner.

75-34-SA—Liberty Pressure Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 17, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 380-33-BZ—Application, December 19, 1933, under section 21 of the building zone resolution, of Joseph B. Schwartz, applicant, on behalf of Frank Teltsch,

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owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 475-477 Kings Highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Brooklyn.

CAL. NO. 382-33-BZ—Application, December 26, 1933, under section 21 of the building zone resolution, of Andrew Yablonsky, applicant and owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop; premises southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

CAL. NO. 3-34-BZ—Application, January 10, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Estate of Jonas Weil, owner, to permit in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles which is located in an unrestricted district; premises 229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot Nos. 13, 49, 50 and 51), Manhattan.

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Brooklyn.

CAL. NO. 512-31-BZ—Application, October 19, 1931; withdrawn January 19, 1932; reopened and restored to Calendar November 14, 1933, under section 21 of the building zone resolution, of George Tiernan, applicant, on behalf of Regina Boulevard Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

CAL. NO. 343-33-BZ—Application, November 14, 1933, under section 21 of the building zone resolution, of Milton Kaplan, applicant, on behalf of Milton Kaplan and Katie Baum, owners, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Brooklyn.

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to

permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 23, 1934, AT 2 P. M.

Building Zone Cases.

27-34-BZ.

APPLICANT—Edward P. Doyle, for Henrietta Meinikheim, owner.

PREMISES—72-02 to 72-10 57th avenue and 57-05 to 57-15 Mazeau street, southeast corner (Block No. 2808, Lot No. 79), Maspeth, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

65-34-BZ

APPLICANT—Burke & Olsen, for Domenick Schirripa, owner.

PREMISES—5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a refrigerating plant.

66-34-BZ.

APPLICANT—David L. Woodall, Jr., owner.

PREMISES—Southwest corner of Weeks avenue and East 175th street (Block No. 2796, Lot No. 31), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a business building (stores).

APRIL 24, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 24, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 42-34-BZ—Application, February 14, 1934, under section 21 of the building zone resolution, of Jack Jacobson, applicant, on behalf of Emdee Management, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Brooklyn.

CAL. NO. 9-34-BZ—Application, January 19, 1934, under sections 7c and 21 of the building zone resolution, of Robert Gottlieb, applicant, on behalf of Alna Holding Corp., owner, to permit in a business district the change of occupancy of an existing

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storage warehouse to a factory; premises 4756 Third avenue, northeast corner of East 189th street (Block No. 3033, Lot No. 53), The Bronx.

CAL. NO. 44-34-BZ—Application, February 15, 1934, under section 21 of the building zone resolution, of Robert Schnepfer, applicant, on behalf of Annuncio Ambrosia, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 137-02 to 137-10 Linden boulevard, southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

CAL. NO. 50-34-BZ—Application, February 21, 1934, under sections 7a, 7c and 21 of the building zone resolution, of Adolph Goldberg, applicant, on behalf of North Shore Motor Sales Co., Inc., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry; premises 153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

CAL. NO. 607-31-BZ—Application, December 19, 1931; withdrawn April 26, 1932; reopened and restored to Calendar, February 6, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Ben S. Michaelson, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.
HARRIS H. MURDOCK, *Chairman*.

APRIL 24, 1934, 2 P. M.

Appeals from Administrative Orders.

60-34-A—Southeast corner of Locust avenue and East 134th street (Block No. 2583, Lot Nos. 365 and 369), The Bronx.

67-34-A—105-109 Hudson street and 168-174 Franklin street (Block No. 187, Lot No. 30), Manhattan.

Appliances Submitted for Approval.

77-34-SA—Packard Fuel Oil Burner.

86-34-SA—Challenger Oil Burner, Model "A."

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 24, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 546-32-BZ—Application, October 31, 1932, under section 21 of the building zone resolution;

denied February 3, 1933; reopened January 9, 1934, under section 7f of the building zone resolution, of Archie H. Samuels, applicant, on behalf of 88th Holding Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), The Bronx.

CAL. NO. 8-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wardell Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 373-33-BZ—Application, December 11, 1933, under section 21 of the building zone resolution, of Henry J. Nurick, applicant, on behalf of Michael Salit, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 176-192 Kings Highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

CAL. NO. 302-33-BZ—Application, September 18, 1933, under section 21 of the building zone resolution, of Frank Giorgio, Jr., applicant, on behalf of Antonio Monteleone and Rose Monteleone, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

CAL. NO. 353-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of Saul Goldsmith, applicant, on behalf of Ellen Martin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.
HARRIS H. MURDOCK, *Chairman*.

APRIL 27, 1934, 10 A. M.

SPECIAL MEETING

Appeals from Administrative Orders.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

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22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 30, 1934, AT 2 P. M.

Building Zone Cases

7-34 BZ.

APPLICANT—Henry C. Brucker, for Salzi Homes, Inc., owner.

PREMISES—Southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

25-34-BZ.

APPLICANT—William Richter, for The Brooklyn Athletic Field, Inc., owner

PREMISES—1196 Ocean parkway (Block No. 5495, part of Lot No. 1000), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the extension of an existing business building.

56-34-BZ.

APPLICANT—Lama and Proskauer, for Joseph Cafiero, owner.

PREMISES—2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of No. 41), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a petroleum storage plant.

84-34-BZ.

APPLICANT—Koch and Wagner, for Lincoln Savings Bank, owner.

PREMISES—7423-7427 Fifth avenue, northeast corner of Bay Ridge parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Brooklyn.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution.

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank).

993-26-BZ.

APPLICANT—Jacob A. Freedman, for Leo Schumer, owner.

PREMISES—5911-5921 22nd avenue, east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened March 27, 1934).

MAY 1, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 1, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 6-34-BZ—Application, January 17, 1934, under sections 7a, 7e and 21 of the building zone resolution, of Harry A. Yarish, applicant, on behalf of Allan A. Kurtz, owner, to permit in a business district the erection and maintenance of stables for more than five (5) horses; premises 507-511 Foster avenue, north side, 178'6 $\frac{3}{4}$ " west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.

CAL. NO. 37-34-BZ—Application, February 10, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Stiroco Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

CAL. NO. 49-34-BZ—Application, February 20, 1934, under section 7a of the building zone resolution, of H. I. Feldman, applicant, on behalf of David Nussdorf, owner, to permit in a residence district the alteration and extension of an existing building used in part for business use; premises 550-554 Bedford avenue northwest corner of Ross street (Block No. 2181, Lot No. 33), Brooklyn.

CAL. NO. 59-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution, of Maxwell H. Lanes, applicant, on behalf of Estate of Charles A. Peabody, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores); premises 94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Brooklyn.

CAL. NO. 62-34-BZ—Application, March 6, 1934, under section 21 of the building zone resolution, of Henry C. Harrington, applicant, on behalf of Dagmar Matsen Clements, owner, to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

MAY 1, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 1, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 11-34-BZ—Application, January 22, 1934, under section 21 of the building zone resolution, of Joseph Walsh, applicant, on behalf of Harry Koggan, owner, to permit in a business district the change of occupancy of an existing premises to junk shop; premises 273 Chester street, east side, 179 ft. 2¾ in. south of Blake avenue (Block No. 3560, Lot No. 12), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 8, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 327-33-BZ—Application, October 18, 1933, under section 21 of the building zone resolution, of Harold J. Crawford, applicant, on behalf of Nora Eberhardt, owner, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building; premises 21-17—30th avenue (Block No. 547, Lot No. 7), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 8, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matter:*

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

SPECIAL MEETING

FRIDAY AFTERNOON, APRIL 6, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

RULES.

217-21-SR.

PETITIONER—American Oil Burner Association, Inc.

SUBJECT—Proposed Revision of Fuel Oil Rules.

APPEARANCES—

Messrs. H. O. Berry, H. Tapp, F. C. Autenrieth,

L. V. Bergen, Wm. Falkenstein, Wm. E. Walsh, Wm. B. White, L. S. Bloom, Albert Bliss, M. J. Sage, F. G. Freitag, H. H. C. Lasker and David Kaufman and other.

For Administration: Inspector Michaels of fire department and Inspector Flanagan of department of buildings.

ACTION OF BOARD—Petition laid over to April 13, 1934, at 2 p. m., for further consideration.

Adjourned, 4.00 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, APRIL 10, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, April 3, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, April 3, 1934, were approved as printed in Bulletin No. 15, Vol. XIX.

BUILDING ZONE CASES.

373-33-BZ.

APPLICANT—Henry J. Nurick, for Michael Salit, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

MINUTES

PREMISES AFFECTED—176-192 Kings highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick, Norman Salit.
For Opposition: Alderman Louis E. Isnardi, John J. Walsh, Bernard Schwartz, Chester P. Larned, Edw. A. Carpweth, C. G. Murphy, E. K. Curtis.

ACTION OF BOARD—Laid over to April 24, 1934, at 2 p. m., for report of committee on inspection. No further argument.

327-33-BZ.

APPLICANT—Harold J. Crawford, for Nora Eberhardt, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building.

PREMISES AFFECTED—21-17 30th (Grand) avenue (Block No. 547, Lot No. 7), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: William R. McVay.
For Opposition: Harry T. Weeks.

ACTION OF BOARD—Laid over to May 8, 1934, at 10 a. m., on report of applicant's representative.

302-33-BZ.

APPLICANT—Frank Giorgio, Jr., for Antonio and Rose Monteleone, owners.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Frank Giorgio, Jr.
For Opposition: Joseph F. Coufal, John Adikes, Kenneth W. Carson, Mrs. May E. Sullivan, W. A. Swarts, Mrs. Frederick Plate.

ACTION OF BOARD—Laid over to April 24, 1934, at 2 p. m., for report of committee on inspection. No further argument.

353-33-BZ.

APPLICANT—Saul Goldsmith, for Ellen Martin, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—407-17 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith, James H. Gilvary.
For Opposition: D. Oberstein, Mr. Luxenberg.

ACTION OF BOARD—Laid over to April 24, 1934, at 2 p. m., on request of applicant.

11-34-BZ.

APPLICANT—Joseph Walsh, for Harry Koggan, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing premises to junk shop.

PREMISES AFFECTED—273 Chester street, east side, 179 ft. 23/4 in. south of Blake avenue (Block No. 3560, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Walsh.
For Opposition: Charles Wapner.

ACTION OF BOARD—Laid over to May 1, 1934, at 2 p. m., for report of committee on inspection. No further argument.

309-28-BZ.

APPLICANT—Richard Shutkind, substituted for William F. Doyle, for B. M. Maltz & Sons, Inc.

SUBJECT—Request for reopening—re amendment—re Application (decision of the fire commissioner and superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2323-2331 Flatbush avenue and 2370-2384 Utica avenue (Block No. 8510, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request to reopen withdrawn by written request.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

3-31-BZ.

APPLICANT—W. Bryce Rea, owner.

SUBJECT—Application for reopening—reconsideration under new facts—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the maintenance of a gasoline service station and, also, a motor vehicle repair shop.

PREMISES AFFECTED—250-21 Northern boulevard, north side, 151 ft. east of 250th street (Block No. 3984, Lot No. 89), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: W. Bryce Rea.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

459-32-BZ.

APPLICANT—Mildred I. Hefter, owner.

SUBJECT—Application for reopening (previously withdrawn)—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Merrick road and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

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APPEARANCES—

For Applicant: Eugene Newmann.

ACTION OF BOARD—Application reopened, to be set for calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

12-34-BZ.

APPLICANT—Carl Forster, for Karl Prochaska, owner.
SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop.

PREMISES AFFECTED—Northwest corner of 87th avenue and Queens boulevard (Block No. 675, Lot Nos. 27 and 29), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(12-34-BZ)

WHEREAS, this application, affecting premises northwest corner of 87th avenue and Queens boulevard (Block No. 675, Lot Nos. 27 and 29), Jamaica, Borough of Queens, was filed with this board on January 22, 1934; and

WHEREAS, although the applicant was notified to complete his papers, he failed to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

345-33-BZ.

APPLICANT—Walter Zeitz, for Walmere Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7c and 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the erection and maintenance of a building to be used for business use (stores).

PREMISES AFFECTED—3146 Heath avenue, south side, 117 ft. 8 in. west of Kingsbridge terrace (Block No. 3257, Lot No. 53), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter Zeitz, Saul Goldsmith.

For Opposition: Muriel C. Read, Herbert S. Klein.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(345-33-BZ)

WHEREAS, Walter Zeitz, for Walmere Realty Co., owner, filed, November 14, 1933, an application under the building zone resolution to permit partly in a residence district and partly in a business district, the erection and maintenance of a building to be used for business use (stores); premises: 3146 Heath avenue, south side, 117 ft. 8 in.

west of Kingsbridge terrace (Block No. 3257, Lot No. 53), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Heath avenue is in a residence and business district, Shrady place is in a residence district, Kingsbridge terrace is in a residence district and Fort Independence street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 13, 1934, re N. B. 357-33, reads:

"1. Proposed use of building located partly in a business district and partly in a residential district for business uses (stores) is contrary to provisions of building zone resolution."

and

WHEREAS, the building is to be of non-fireproof construction, one story in height, with a frontage of 26 ft. 4 in. and a depth of 109 ft. 1 in. maximum, to be occupied as stores. Approximately one-quarter of the proposed building (the southeast corner) is in the residence district—the remainder is in the business district; and

WHEREAS, the board deemed that applicant substantiated his basis of appeal under section 7c of the building zone resolution and therefore was entitled to relief under section 21 on the grounds of unnecessary hardship and practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under sections 7c and 21 on condition that that portion of the building to be erected within the area zoned for residence use shall not exceed one story in height and shall not extend southerly more than 45 feet beyond the line where the business use intersects the residence use on the easterly lot line; that there shall be no windows in the lot line wall within the residential area opening upon the lot line to the east; that on the easterly lot line from the rear of the building to the rear of lot there shall be constructed a substantial woven wire fence; and that other than this variance granted herein, all provisions of the zone resolution and of all other laws applicable shall be complied with in all respects.

387-33-BZ.

APPLICANT—William Mulligan, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy to an existing dwelling so as to include a business use (store).

PREMISES AFFECTED—122-12 25th road (Block No. 218, Lot No. 29), College Point, Borough of Queens.

APPEARANCES—

For Applicant: William Mulligan, Mrs. William Mulligan.

For Opposition: Edward D. Hooper.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(387-33-BZ)

WHEREAS, William Mulligan, owner, filed, December 29, 1933, an application under the building zone resolution to permit in a residence district the alteration and change of

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occupancy of an existing dwelling so as to include a business use (store); premises: 122-12 25th road (Block No. 218, Lot No. 29), College Point, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 25th road is in a residence district, 122nd street (Causeway) is in a business district, 123rd street is in a residence district and 124th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 7, 1933, reads:

"I regret to inform you that I am without power to allow you to convert your dwelling located at 122-12 25th road, College Point, from a residence to a store and residence, as these premises are situated in a residence district."

and

WHEREAS, the existing building is of frame construction, two (2) stories in height, with a frontage of 16 feet and a depth of 56 feet, to be occupied as a store in the front portion of the first story and the remainder of the building as a two-family dwelling; and

WHEREAS, the board deemed that applicant was entitled to temporary relief under section 21 on the grounds of hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, permitting the portion on the first floor, as indicated on plans filed herewith, to be used as grocery store for a period of *one year* from the date of this action, *on condition* that there shall be no structural alterations made to the exterior of the building; that this store shall be used for the sale of groceries and newspapers only, excluding all material of any inflammable nature and excluding the sale of fish; that no signs shall be displayed on the exterior of the building or on the property other than a neat sign painted on front window; that there shall be no display of goods outside; and that this variance is granted with the definite understanding on the part of owner that it is temporary only for the period named within this resolution and that the non-conforming use is to be discontinued upon the expiration of this variance and that no application is to be made for extension thereof.

606-31-BZ.

APPLICANT—Hudson Realty Co., Inc., owner.

SUBJECT—Application for reopening—extension of permit—re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Main street and Nassau boulevard (Block No. 2105, Lot No. 25), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Stanford Waite.

ACTION OF BOARD—Application reopened and temporary permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO EXTEND TEMPORARY PERMIT—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5

Negative 0
Absent 0

THE RESOLUTION—

(606-31-BZ)

WHEREAS, this application affecting premises southwest corner of Main street and Nassau boulevard (Block No. 2105, Lot No. 25), Flushing, Borough of Queens, was granted by the board at its meeting, April 8, 1932, under section 7, subdivision f, for a temporary variance on certain conditions, and applicant requests an extension of the time limit of the variance.

Resolved, that the resolution adopted by the board on April 8, 1932, as amended January 16, 1934, be reaffirmed, and the time for the temporary variance under section 7, subdivision "f" be extended for a *period of two years* from the date of this amended resolution, *on condition* that plans shall be submitted for approval and approved by the chairman of the board in behalf of the board before same are filed with the commissioner of buildings and that the resolution of April 8, 1932, as amended January 16, 1934, be complied with in all other respects.

662-30-BZ.

APPLICANT—Vincent J. Bensi, for Elvira Pizzo, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of superintendent of buildings), under sections 7g and 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for more than five motor vehicles.

PREMISES AFFECTED—37 Jackson street and 645-651 Lorimer street, west side, 25 ft. north of Jackson street (Block No. 2741, Lot Nos. 31, 32, 33 and 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: Vincent J. Bensi.

ACTION OF BOARD—Application reopened and time extended to complete work.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(662-30-BZ)

WHEREAS, this application affecting premises 37 Jackson street and 645-651 Lorimer street, west side, 25 ft. north of Jackson street (Block No. 2741, Lot Nos. 31, 32, 33 and 36), Borough of Brooklyn, was granted by the board July 7, 1931, on certain conditions, amended April 19, 1932 and May 9, 1933, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution of the board adopted on July 7, 1931, amended April 19, 1932 and May 9, 1933, only so far as it has to do with obtaining of permits and completion of work, be amended, so that as amended the last clause of the resolution shall read:

"... that in view of statement by applicant's representative that all permits had been obtained, all work shall be completed within one year from the date of this amended resolution."

Adjourned, 1.00 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, APRIL 10, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

APPEALS FROM ADMINISTRATIVE ORDERS.

90-34-A.

APPELLANT—Sheppard Glucroft, for B. Gertz, Inc., lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—162-10 to 162-18 Jamaica avenue and 92-15 Union Hall street (Block No. 1052, Lot Nos. 4, 6 and 79), Jamaica, Borough of Queens.

APPEARANCES—

For Appellant: Sheppard Glucroft.

For Administration: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(90-34-A)

WHEREAS, Sheppard Glucroft, for B. Gertz, Lessee, filed, April 4, 1934, an appeal from a decision of the commissioner of buildings, affecting premises 162-10 to 162-18 Jamaica avenue and 92-15 Union Hall street (Block No. 1052, Lot Nos. 4, 6 and 79), Jamaica, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings, dated April 2, 1934, re Plan No. 683-34, reads:

"1. Amendment ref. omission of standpipe disapproved.

"Provide standpipe, 3,500 gallons gravity tank, as per section 581, chapter 5, code of ordinances, and also as per rules of Board of Standards and Appeals.

"This denial is issued without prejudice to the substitute you propose. Appeal however may be taken to the Board of Standards and Appeals."

and

WHEREAS, the premises consist of an "L" shaped plot, 108 feet frontage on Jamaica avenue by 125 feet, and 50 feet frontage on Union Hall (162nd) street by 110 feet in area; upon which are erected two non-fireproof buildings, 2 stories, and 6 stories (75 feet) in height; OCCUPIED: stores, restaurant and department store; 30 persons per story; located within a business district; and

WHEREAS, the appellant proposes to demolish the westerly half of the 2-story building, and in its place erect a 6-story extension to the existing 6-story building; the easterly half of the 2-story building will remain intact, but separated in cellar by a cement block wall with one doorway to boiler room, and on the 1st story by a non-fireproof partition; the 2nd story will be open over the entire premises forming about 17,000 square feet of floor area; the upper floor areas will be about 12,600 square feet each; the appellant claims the building fronts on two streets will be equipped with an approved automatic sprinkler system, fed from a 20,000 gallon gravity tank, and also from the water main of 65 pounds pressure through a 6-inch connection on Jamaica avenue and 4-inch connection on Union Hall (162nd) street, with water flow alarm connections, supervised by the American District Telegraph Co.; in addition there is a local fire alarm system installed, and two fire alarm boxes connected with fire headquarters; portable fire extinguishers will be distributed throughout

the building; furthermore, the appellant contends that the proposed sprinkler system is more efficient and provides greater protection in case of fire than standpipes; adequate and legal exits are provided consisting of two fireproof enclosed interior stairs, extending from the street to the roof; one interior stairway at center of building, extending from basement to 6th story, open from basement to 2nd story, and fireproof enclosure from 2nd to 6th story; one open stairway from basement to 1st story near the Union Hall (162nd) street entrance.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the omission of the standpipe system *on condition* that the building shall be protected with an approved automatic sprinkler system complying with all the requirements of the Sprinkler Rules of the Board of Standards and Appeals, fed from a 20,000-gallon gravity tank with a 6-inch water connection from Jamaica avenue and a 4-inch water connection from Union Hall street, known as 162nd street; that this sprinkler system shall be equipped with water flow alarm connection, supervised by the American District Telegraph Co.; that there shall be installed in the building two fire alarm boxes at widely separated points, connected with fire headquarters; that there shall be a local interior fire alarm system maintained in the building, to the satisfaction of the administrative authorities; that every part of the existing building and proposed extensions shall be sprinklered in accordance with the rules; that this variance is granted in connection with the existing 6-story building and the proposed extension to the east, which, as stated by the appellant, is to be constructed at this time for a height of two stories and basement only and also the 2-story building to the east thereof; that such auxiliary fire-fighting appliances shall be maintained throughout the building as may be required by the commissioner; and that other than as modified herein, the building shall comply with all other laws applicable thereto.

BUILDING ZONE CASES.

389-33-BZ.

APPLICANT—Stewart Willey, for Marcelle S. Flint, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a factory building.

PREMISES AFFECTED—115-17 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Meyer Kraushaar, Robert Teichman.

For Opposition: Samuel Pflug.

ACTION OF BOARD—Laid over to May 8, 1934, at 2 p. m., for applicant to file proper denial from the commissioner of buildings.

386-33-BZ.

APPLICANT—Marcus L. Bermann, for Ralph Horton, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Eastern boulevard and Soundview avenue through to Croes avenue (Block No. 3722, Lot No. 18), Borough of The Bronx.

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APPEARANCES—

For Applicant: Marcus L. Bermann.
For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(386-33-BZ)

WHEREAS, Marcus L. Hermann, for Ralph Horton, owner, filed, December 28, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Northeast corner of Eastern Boulevard and Sound View avenue, through to Croes avenue (Block No. 3722, Lot No. 18), Borough of The Bronx;

and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals;

and

WHEREAS, the use district maps accompanying the building zone resolution show that Sound View avenue is in a business district, Eastern boulevard is in a business district and Croes avenue is in a residence and business district;

and

WHEREAS, the decision of the commissioner of buildings, rendered December 11, 1933, re: Applic. N.B. 469-33, reads:

"1. Erection of buildings and maintenance of premises in business district for gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 178 feet on Sound View avenue and 206 feet on Croes avenue; upon which it is proposed to erect a one story office 20 feet by 24 feet in area, a grease pit structure and proposes to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 386-33-BZ.

Premises: Northeast corner of Eastern boulevard and Sound View avenue, through to Croes avenue (Block No. 3722, Lot No. 18), Borough of The Bronx.

This is an application for a zoning variance to permit a gasoline service station in a business district at the northeast corner of Sound View avenue and Eastern boulevard-Croes avenue is also shown on the map as a boundary of this property on its easterly side, but this avenue has not yet been constructed. This property under appeal has a frontage on Sound View avenue of 178 feet and comes to a point at Eastern boulevard, Sound View avenue and the not yet opened Croes avenue.

It is proposed to widen Eastern boulevard on the opposite side which would probably eliminate an existing gasoline station on the southwest corner of Sound View avenue and Eastern boulevard.

The surrounding property is generally vacant at this intersection, and a number of corners are equally available for gas station use.

This owner has other property adjoining this site under appeal.

In the opinion of the Committee which inspected this property on March 22nd, 1934, no hardship has been shown except the financial hardship of carrying the

vacant property, and the situation as to this applies equally as well to the adjacent vacant property.

In the opinion of the committee there are sufficient gasoline stations in existence or permitted to supply all needs until at least Eastern boulevard is widened and the area has an opportunity to continue its development which has been arrested by present real estate conditions.

The committee cannot agree that this plot is unsuitable for anything but a gasoline station, and believes that this intersection will be desirable for business usage as zoned and that its future development should not be predetermined at this time by giving this corner over to a gasoline station use.

The committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate the basis of this application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

368-33-BZ.

APPLICANT—Archie H. Samuels, for Sonsam Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(368-33-BZ)

WHEREAS, Archie H. Samuels, for Sonsam Corporation, owner, filed, December 7, 1933, an application under the building zone resolution to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises; Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sutphin boulevard is in a business district, 116th avenue is in a residence district, 148th street is in a residence district and 149th street is in a residence and business district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 21, 1933, re Plan No. 2441-33, reads:

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"Erection of a gasoline station in a business district extending into a residence district contrary to article 2, section 3 and 4 of the BZR. Not further examined."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 114.7 feet on 116th avenue and 101 feet on Sutphin boulevard—a small irregular portion (the N.W. corner) of the plot is in the residence district and the remainder is in the business district. Proposes to erect on the site a one-story structure 54 ft. by 24 ft. to be used as office and grease pits and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 368-33-BZ.

Premises: Southwest corner of Sutphin boulevard and 116th avenue (Block No. 2770, Lot No. 7), Jamaica, Queens.

The site under appeal is located at the southwesterly corner of Sutphin boulevard and 116th avenue, with a frontage on Sutphin boulevard of 101 feet and 114 ft. on 116th avenue. The plot is in a business use area except the westerly 14 ft. which is in the residence zone.

The site is in a section generally given over to single private houses and neighborhood stores. While there is vacant property, this is mainly on Sutphin boulevard. There is one gasoline station in the immediate area diagonally opposite the plot under appeal and located on a plot of triangular shape formed by the intersection of Sutphin boulevard, 116th avenue and 149th street. This station exists because of a court decision reversing the denial of the board under calendar No. 572-31-BZ. There are other stations within a reasonable distance and it was apparent to the committee which inspected this area on March 29th, 1934, that the neighborhood was amply supplied with gasoline station facilities and that through traffic on Sutphin boulevard needed no further accommodation. This is evidenced by the statement made at the hearing of the financial difficulties of the station opposite the site under appeal.

Supplementing the statement made at the hearing, the committee was told that the sale of gasoline was approximately 200 gallons per day. While this may be inaccurate, it was apparent from observation that the business was not in flourishing condition and that another station would not only not be successful, but that it would affect the existing station, which is there by approval of the Court.

The committee agrees with the contention of the applicant that on the vacant frontage it would be unwise if not impossible, during the present real estate depression, to build business buildings or even apartment buildings with stores. The condition here has its counterpart in many areas in similar conditions of arrested development. There are, as the applicant states, no practical difficulties. Under normal conditions this property would readily be developed as it is in the midst of a residential community. Whatever hardship there is, is of a financial nature due to carrying land vacant and in this respect, this case is no different than many other parcels similarly situated.

The committee, which inspected the site and the general section on March 29th, 1934, finds no reason for granting this appeal because of variances that the board or the court may have granted on Sutphin boulevard. Each case must be considered independently and in this instance the committee does not find sufficient hardship to warrant the board varying the restrictions

as it is its opinion that neighboring owners of developed business and residential properties would suffer more hardship if this variance were granted than the financial advantage that would be gained by this owner. The neighboring residential owners were represented at the hearing by one of their number and the committee believes their objections in this case should be carefully considered.

The committee recommends denial.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had not substantiated the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

132-21-BZ.

APPLICANT—Kennedy and Ellner, for Wandil Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and a motor vehicle repair shop, previously dismissed for lack of prosecution; reopened and restored to calendar November 21, 1933.

PREMISES AFFECTED—Northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy.
For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(132-31-BZ)

WHEREAS, this application was originally filed March 19, 1931, by Samuel J. Fox for Charles P. O'Hara, owner, and dismissed for lack of prosecution December 4, 1931; and

WHEREAS, this application was restored to the calendar on request of Kennedy and Ellner for the Wandil Realty Corp., owner, on November 21, 1933, the application being for a variance of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station, and motor vehicle repair shop; premises: northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Liberty avenue is in a business district, 130th street is in a residence district, 129th street is in a residence district and 103rd avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 24, 1933, re Plan No. 108-31, reads:

MINUTES

"1. The erection of a gasoline service station and repair shop for motor vehicles in a business district is contrary to article 2, section 4, subdivisions 46 and 29 of the building zone resolution. (Not further considered.)"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 101 ft. on Liberty avenue and 87 ft. on 130th street—upon which it is proposed to erect a one-story structure, 28 ft. by 20 ft. in area, used for auto laundry, auto repair shop and office and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE ON INSPECTION. Cal. No. 132-31-BZ.

Premises: Northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

The premises under appeal are located at the northwest corner of Liberty avenue at the corner of 130th street in a business area adjoining a developed residential area. The plot has a frontage of 101 ft. on Liberty avenue and 87 ft. on 130th street, and a zoning variance is requested to permit not only a gasoline service station with its usual accessory uses, but an automobile repair shop as well.

On March 29, 1934, a committee of the board inspected this section and gave careful consideration to the points raised by the applicant and by the objectors who protested at the hearing as owners of adjacent residential and business properties.

The committee finds the section highly developed and relatively little undeveloped property other than the prominent corner under appeal. In the opinion of the committee whatever hardship there is is entirely of a financial nature due to carrying the property vacant, except for the sum of \$50 a year which the applicant states is received for bill board rental. The section is not beautified by these bill boards, and it is the committee's opinion that no variance should be granted for the use applied for, as it would cause hardship on adjoining owners and deteriorate their properties. These owners are entitled to expect that the business frontage along Liberty avenue at this point will be developed with conforming uses only.

The committee recommends denial.

(Signed) H. H. MURDOCK,

Chairman.

VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,

Committee on Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

116-33-BZ.

APPLICANT—Arthur F. Lamanda, for Katherine Alberti, owner.

SUBJECT—Application (re decision of the superintendent of buildings), under sections 7e and 21 of the building zone resolution, to permit in a business district the extension of an existing garage for more than five motor vehicles granted by the board under Cal. No. 304-30-BZ.

PREMISES AFFECTED—50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur F. Lamanda, Frank E. Vitola.

For Opposition: Louis A. Jackson, Tomaso Boassi.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Not Voting: Commissioner Peppe..... 1

THE RESOLUTION—

(116-33-BZ)

WHEREAS, Arthur F. Lamanda, for Katherine Alberti, owner, filed, March 27, 1933, an application, under the building zone resolution, to permit in a business district the extension of an existing garage for more than five (5) motor vehicles (granted by the board under Cal. No. 304-30-BZ); premises 50-56 Downing street and 214-218 West Houston street (Block No. 528, Lot Nos. 13, 28, 29, 30 and 31), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, June 27, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and this application was denied; and

WHEREAS, applicant requested a reopening of the applications on the basis of new facts and the application was reopened by vote of the board January 26, 1934, and

WHEREAS, a public hearing was held on this reopened application by the Board of Standards and Appeals at its regular meeting March 20, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals and the case was adjourned for final determination on April 10, 1934, and

WHEREAS, the decision of the superintendent of buildings, rendered March 8, 1933 (re Alt. App. 268-33) reads:

"1. The location or extension of a garage for more than 5 motor vehicles in a business district is unlawful. Art. 2, Par. 4, zoning resolution";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on West Houston street and 70 ft. 5 in. on Downing street, running through from street to street; it is proposed to erect on the Downing street front of the plot a one-story addition to the existing garage on West Houston street, said addition to have a frontage of 70 ft. 5 in. and an approximate depth of 82 ft.; proposes to use the entire building as a garage for more than five motor vehicles but with no vehicular entrance from Downing street and applicant also proposes to store gasoline on the premises; and

WHEREAS, the premises in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing; and

WHEREAS, the Board deemed that applicant substantiated his basis of appeal under Sections 7 (e) and 21 of the building zone resolution, and that he was entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby make a *variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, permitting the new addition to be constructed to the present one-story garage building, variance for which was granted by the board under Cal. No. 304-30-BZ on condition that this new addition shall be not over one-story in height and shall be constructed without any cellar or other open excavation and shall be of fireproof construction throughout; that the openings to Downing street shall consist only of windows, not less than 4 ft. in width with sills at least 5 ft. above the sidewalk grade of Downing street and one (emergency) exit door, not over 3 ft. 6 in. in width; that

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the entire building, including the portion previously granted and this new addition shall be protected throughout with an approved one-source sprinkler system; that any skylights that are erected in the roof of the new addition shall be glazed with thin glass, with screens below and above and with no part of any skylight within 20 ft. of either side lot line wall; that there shall be no openings in any of the interior side line walls of this extension; that the cellar in the existing building toward the east shall be provided with a second means of exit; that gasoline tanks (of not over a total of 1,100 gallon capacity) may be installed in the premises *on condition* that they shall be legally installed and not nearer than 25 feet from the boiler room, and that no gasoline shall be sold other than for the automobiles housed within the building; that this entire building may be used for a public garage on condition that the cars stored therein, in addition to the 15 trucks in the ownership and control of the owner shall be limited to pleasure vehicles only; that no automobile repairing shall be carried on within this building; that no open flame shall be permitted; that no roof signs shall be permitted; and that all permits shall be obtained within three months and all work completed within one year from the date of this action.

287-33-BZ.

APPLICANT—Freid Meier, for William Allan, owner.
SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Malvern Cunningham.
For Opposition: Nathan A. Goldenthal.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(287-33-BZ)

WHEREAS, Fred Meier, for William Allan, owner, filed an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: northwest corner of Jamaica avenue and Newtown road (Block No. 695, Lot Nos. 1 and 1½), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 31st (Jamaica) avenue is in a business district; Newtown road is in a residence district; 42nd street is in a residence district; 43rd street is in a residence district and 44th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 28, 1933, re N. B. 1527-33, reads:

"1. The creation of a gasoline station within a business district is contrary to section 4a of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 82 ft. 8 in. on 31st (Jamaica) avenue and 78 ft. 10½ in. on Newtown road, upon which is erected a one-story frame building and auto hoist; it is proposed to remove the existing frame building and hoist,

then to erect a one-story masonry building to serve as an office, auto laundry and greasing pit, bury four 550-gallon tanks and erect five pumps for the purpose of conducting a gasoline service station within a business district; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

597-32-BZ.

APPLICANT—Henry A. Urquhart, for John Wischerth, owner.

SUBJECT—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station, denied October 17, 1933; remitted by court for further consideration February 17, 1934; restored to calendar March 6, 1934.

PREMISES AFFECTED—33-41 Stone avenue, southeast corner of McDougal street (Block No. 1535, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph M. Lonergan.

For Opposition: James J. Reynolds, George E. Reilly, Anna Higgins, Tsak Mansdorf.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(597-32-BZ)

WHEREAS, Henry A. Urquhart, for John Wischerth, owner, filed, December 2, 1932, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 33-41 Stone avenue, southeast corner of McDougal street (Block No. 1535, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 17, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and this application was denied and

WHEREAS, the matter was taken to the court on a writ of certiorari and remitted by the court to the board for further consideration; and

WHEREAS, a further public hearing was held on this application by the Board of Standards and Appeals at its regular meeting March 20, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals, and the matter adjourned for final determination on April 10, 1934; and

WHEREAS, the use district maps accompanying the building zone resolution show that McDougal street is in business and residence districts; Stone avenue is in a business district, and Hull street is in business and residence districts; and

WHEREAS, the decision of the superintendent of buildings, rendered November 12, 1932 (re App. No. 11111-32), reads:

"Proposed gasoline service station to be located in a business use district is contrary to Art. II, Sec. 4-a, Zone Resolution";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Stone avenue and 65 ft. on

MINUTES

McDougal street, upon which it is proposed to erect a one-story office, 16 ft. by 24 ft., grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing and which report recommended the granting of this application; and

WHEREAS, the board deemed that applicant substantiated his basis of appeal under section 21 of the building zone resolution, and that he was entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that all material, buildings and fence now located on the plot under appeal shall be entirely removed and that there shall be constructed on the interior lot lines continuously from Stone avenue to McDougal street, a masonry wall, constructed of face brick, not less than 8 ft. in height and suitably coped; that this wall may start at the street lines at a height of 4 ft. and rack back at the rate of one foot in four to a height of 8 ft.; that accessory buildings shall be limited in height to one-story and shall be erected as indicated on plans filed with this appeal, dated "received December 2, 1932," toward the rear line of the lot; with no openings in the side line walls to the adjacent properties; that the accessory buildings shall be limited to office and greasing pit section; that the building housing the greasing pits shall have the front left open; that these buildings shall be constructed throughout of incombustible materials and faced with face brick similar to the lot line walls; that there shall be no open excavation under any of the buildings except the pits for the greasing racks; that the entire balance of the plot, where not covered by accessory buildings and walls, shall be cement paved; that along the building line of McDougal street and Stone avenue there shall be erected a reinforced concrete curb at least 12 inches in width and 12 inches in height with not over two openings therein to McDougal street and two openings to Stone avenue, these openings not to exceed 20 ft. in width each, no part of any opening to be nearer than 10 ft. from the interior lot line or from the corner formed by the intersection of McDougal street and Stone avenue; that opposite these openings in the lot line curb there may be openings in the street curb not over 25 ft. in width; that gasoline pumps erected shall be at least 10 ft. back from either street line; that there shall be no open flame permitted on the property; that no portable gasoline tanks shall be used on or from the property; that signs advertising non-conforming uses shall be confined to the illuminated globes of the gasoline pumps, excluding temporary signs of every nature; that there shall be no automobile repairing carried on in the premises and no parking or storing of cars other than those being serviced; that no part of the plot shall be put to any use other than as permitted by this variance; that lights for general illumination at night shall be erected on standards not over 9 ft. in height, with metal reflectors so arranged as to shine downwardly to avoid nuisance; that complete working drawings shall be filed with the board for approval by the chairman in behalf of the board, before submission to the commissioners of buildings; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

348-33-BZ.

APPLICANT—Samuel Rosenblum, for Bleitborn Building and Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: Daniel M. McLaughlin, Patrick Hammell.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant
Chief Kidney 5

Absent 0

THE RESOLUTION—

(348-33-BZ)

WHEREAS, Samuel Rosenblum, for Bleitborn Building and Holding Corporation, owner, filed, November 17, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Coney Island avenue is in a business district, and Avenue Z is in a business district and East 11th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 30, 1933, re Applic. No. 12912-1933, reads:

"Proposed gasoline service station to be located in a business use district is contrary to article 2, section 4a of zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Coney Island avenue and 100 ft. 4 in. on Avenue Z. The premises in question is part of a larger plot of ground having a frontage of 200 ft. on Coney Island avenue. Upon the premises in question it is proposed to erect a one-story structure 54 ft. by 21 ft. in area to be used as office, wash stand and grease pits and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 348-33-BZ.

Premises: 2837-2859 Coney Island avenue, southeast corner of Avenue Z (Block No. 7454, Lot No. 1), Borough of Brooklyn.

This is an application for a zoning variance to permit a gasoline service station to be erected at the southeast corner of Coney Island avenue and Avenue Z.

The plot for the proposed non-conforming use is, approximately, 100 ft. on each thoroughfare but is part of a larger area owned by the same owner. Opposite the plot is the property of the Board of Education, on the east portion of which plot is erected Public School No. 309 and the balance of the plot is being held for future school development.

Whatever hardship exists is of a financial nature due to the carrying of this land vacant, and the other two corners of Coney Island Avenue and Avenue Z are also vacant and just as suitable for gasoline service use.

The objectors in addition to the Board of Education are owners of some of this land opposite, who are anxious not to have the section deteriorate by additional gasoline service stations, of which there are at least twelve (12) in the district south and north of Avenue V.

MINUTES

In the opinion of the committee, which inspected this property on March 29, 1934, no hardship has been proven for granting this non-conforming use, particularly in view of the nearness of the Public School and the great number of gasoline stations that are in existence, relatively so near, which without question must be more than adequate for the need. The committee recommends that the application be denied.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate his basis of application under section 21. *Resolved*, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

364-33-BZ.

APPLICANT—Joseph S. Gershman, for Maphi Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

PREMISES AFFECTED—Northeast corner of Hillside avenue and Chelsea road (187th street) (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Joseph S. Gershman.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(364-33-BZ)

WHEREAS, Joseph S. Gershman, for Maphi Realty Co., Inc., owner, filed, December 5, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a motor vehicle repair shop and also a gasoline service station; premises: northeast corner of Hillside avenue and Chelsea road (187th street) (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, at 2 p. m., after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hillside avenue is in a meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the commissioner of buildings, rendered January 3, 1934, re Plan No. 1729, reads:

"1. The erection of a gasoline service station and a motor vehicle repair shop within a business district is contrary to section 4, subdivision 29a of the zone resolution. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. on Hillside avenue and 100 ft. on Chelsea road, upon which it is proposed to erect a one-

story structure, 80 ft. by 25 ft. in area to be used as office, grease pits and motor vehicle repair shop and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 364-33-BZ.

Premises: Northeast corner of Hillside avenue and Chelsea road (187th street) (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

This is an application for a zoning variance to permit a gasoline station and a motor vehicle repair shop on a plot 100 ft. by 120 ft., in a business use district at the northeast corner of Kent road, formerly known as Chelsea road and Hillside avenue, Borough of Queens. The property north of the business area of Hillside avenue is zoned for residence and is well built up, while the frontage along Hillside avenue immediately to the east and west is largely vacant.

There is a gasoline station at the other end of the same block to the east which station has apparently been in existence since 1916, according to the information obtained from the Bureau of Combustibles of the Fire Department and the station to the west, opposite 185th street, located within the abandoned road bed of Dalney road, apparently was in use prior to 1925.

On the opposite corner of Kent road, under Cal. No. 524-32-BZ, an application was filed for a gasoline station but was withdrawn after a report was read by a committee of inspection recommending that the application be denied. This action was on December 16, 1932, and the conditions are substantially similar at this time.

In the opinion of the committee, which inspected this property on March 29, 1934, no hardship or practical difficulties have been proven and whatever may exist are of a financial nature, due to the carrying of vacant land. Many objectors are owners of vacant property adjacent on Hillside avenue and the owners of frame dwellings immediately in the rear. There have been no consents filed and the committee recommends that the application be denied.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had not substantiated the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

379-33-BZ.

APPLICANT—Andrew Havrylok, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Oscar Goldschlag.

For Opposition: Edward J. Victory.

ACTION OF BOARD—Application denied.

MINUTES

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(379-33-BZ)

WHEREAS, Andrew Havrylok, applicant and owner, filed, December 18, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Astoria boulevard is in a business district; 79th street is in an unrestricted and residence district and 24th avenue is in an unrestricted and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 28, 1933, re No. 1313-33, reads:

"The erection of a gasoline service station in a business district is contrary to section 4 of the zone law. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. on Astoria boulevard and 117 ft. on 79th street; upon which it is proposed to erect a one-story office 18 ft. by 16 ft. in area and to install the necessary tanks and pumps for a gasoline service station. A small irregular shaped portion of the southwest corner of the plot is in the unrestricted district and the remainder is in the business district; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 379-33-BZ.

Premises: Southeast corner of 79th street and Astoria boulevard (Block No. 1404, Lot No. 16), Jackson Heights, Borough of Queens.

The premises under appeal are located on Astoria boulevard, at the southeast corner of 79th street, in an area, zoned for business, adjacent to an area zoned for unrestricted use, which unquestionably should be rezoned at least in part for residence use. Astoria boulevard is to be widened from 50 ft. to a wide boulevard as an approach to the Tri-Borough Bridge. While the widening is to be largely taken from prop-

erty on the other side of Astoria boulevard, there is to be some frontage taken from the plot under appeal, and from information received, title in this property was vested in the City of New York on November 2, 1933, and from information received, there will be an award of not less than \$2,300 for the property condemned.

As the applicant stated that he was afraid that the existing mortgage of \$1,500 would be foreclosed, it would appear that with this award due, it should be possible to obtain arrangements for the continuance of the existing mortgage. The owner's difficulties are purely financial and benefit from the widening of Astoria boulevard would undoubtedly result.

The Long Island State Park Commissioner and the Commissioner of Parks have strongly urged that this appeal should not be granted pending the widening as it is likely that the widening will commence very soon and a gasoline service station would not be usable while the widening is in progress. Further, there have been filed many objections by nearby owners of residences.

In the opinion of the committee which inspected this property on March 29, 1934, there have been no practical difficulties or unnecessary hardships shown other than the financial hardship referred to above, and in view of this boulevard improvement, the committee believes it would be a mistake to grant the application and also that it would lead to depreciation of the section and have a harmful effect on adjoining properties.

The committee has received information that the Tri-Borough Bridge Authority has recently received money from Washington which indicates that payment for the property condemned will presently be made and that the work of constructing the boulevard will soon commence.

The committee recommends that the application be denied.

(Signed) H. H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate the basis of his application under section 21.

Resolved, that the decision of commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

Adjourned, 3.00 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, sub-division 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1.

Application

These rules shall apply to every establishment engaged in applying, by the spray method, paints, varnishes, enamels, lacquers, stains or similar flammable materials in excess of two quarts a day on manufactured or fabricated articles.

Rule 2.

Definitions

1. The term "spray booth" shall include the following:

- (a) "Cabinet booth" shall mean a compartment, provided with a back, top and two sides, equipped with air exhaust facilities, located within a room or section of an establishment, and in which spray coating is carried on.
- (b) "Canopy booth" shall mean an installation consisting of an overhead exhaust system, of the canopy type, without side or end panels enclosing the object sprayed, and under which canopy spray coating operations are carried on.
- (c) "Tunnel booth" shall mean a compartment consisting of two sides and top, equipped with air exhaust facilities and in which spray coating is carried on.

2. The term "spray room" shall mean a fully enclosed room within the exterior walls, or the area between fire walls. This definition shall not include a room equipped with spray booths wherein all the spray coating operations are carried on within the booths.

3. Fireproof or fire-resisting partitions shall be constructed as required by the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings to be equipped with self-closing, fireproof doors.

Rule 3.

Ventilation

- (a) No spray coating of manufactured or fabricated articles shall be carried on in any part of an establishment except in spray booths or in spray rooms, as defined above.
- (b) Cabinet booths shall be equipped with an air exhaust system which will provide an air velocity of not less than one hundred (100) lineal feet per minute averaged over the frontal area of the spray booth.
- (c) Spray rooms shall be equipped with an air exhaust which will provide not less than sixty (60) changes of air per hour in the spray room.
- (d) All types of spray rooms and booths shall be equipped with an air exhaust system of sufficient capacity to prevent the accumulation of mist or vapors within such enclosures.

- (e) Air shall be admitted to the spray booth or spray room in an amount substantially equal to the capacity of the fan or fans used for exhausting air from said booth or room; windows or other openings not used for ventilation shall be kept closed during the process of spray coating. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.

Rule 4.

Specifications for Spray Booths and Spray Rooms

- (a) Spray booths shall be constructed of metal or other incombustible material satisfactory to the administrative official.
- (b) Air distributing or baffle plates, if used, shall be of incombustible material and removable for cleaning.
- (c) The inner side of walls, ceilings and floor shall be as smooth as practicable, in order to facilitate cleaning; when constructed of ferrous metal such surfaces, inside the booth or room, shall be thoroughly painted or galvanized.
- (d) Exhaust ducts for spray booths or spray rooms shall be constructed of material not less than the following U. S. Standard gauges, viz.:
When of diameter of 24 inches or less, 22 gauge.
When of diameter of over 24 inches and not over 36 inches, 20 gauge.
When of diameter of over 36 inches, 18 gauge.
- (e) Ducts shall be strongly erected and rigidly supported.
- (f) Motors shall be located outside of ducts, booths or spray rooms so that no inflammable vapors or residues can reach them.
- (g) If induced draft is used to create an air movement within cabinet or tunnel types of spray booths or spray rooms, the air shall be supplied from a point outside of the spray booth or spray room with fans and motors entirely outside of the spray booth or spray room.
- (h) The exhaust system for the removal of vapors or residues of spraying materials from the spraying equipment shall not be connected with any other ventilating system or discharged into a chimney or flue used for the purpose of conveying gases from heating elements.

Ventilating ducts shall run as directly as practical to the outer air and be protected with a hood. When not terminating above the roof the exhaust terminal in addition shall be protected with a fire screen of copper or bronze with a mesh not larger than $\frac{1}{2}$ inch. When passing through a non-fireproof roof the duct shall be constructed double with a 1-inch air space. The outer pipe shall be not less than 2 inches from any woodwork which shall be covered with metal. Ventilating ducts terminals shall be not less than 15 feet from any window opening, exterior exit, chimney termination or unprotected air intake, unless exhausting on the front of a building or where there are openings in a direct line less than 30 feet from any opening in any other building.

- (i) Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of current supply, using metallic conduit. Rheostats in fan bases not permitted.

RULES

- (j) All electrical wiring shall be enclosed in metal conduits.
- (k) Artificial lighting shall be by electricity only. Fixtures to be of the rigid stem type, enclosing all wiring and equipped with vaporproof globes and keyless sockets.
- (l) No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray rooms or within 10 feet from any spray compartment or spray booth unless such electrical equipment is of a type approved for use in explosive atmospheres. Motors located within 10 feet of a spray booth may be of the standard totally enclosed type, or of the open induction type, having no brushes, make and break contact, collectors or other arcing or sparking parts.

All flame or spark producing machinery within a floor area, wherein spray coating is carried on shall be discontinued or enclosed by partitions constructed fireproof or fire-resisting. This rule shall not exclude the use of the indirect type of bake ovens, provided the flame compartment is separately enclosed, taking air from outside of the room wherein spray coating is carried on and where adequate ventilation can be provided.

- (m) All electrical equipment shall be installed and grounded as provided by the National Electrical Code (Art. 32) and permanently connected to their source of current supply, using metallic conduit. No receptacle pin plugs permitted.
- (n) Artificial heating shall be limited to the use of steam or hot water circulating system or hot air systems satisfactory to the administrative official.

Rule 5.

Maintenance and Fire Protection

- (a) The plant superintendent, foreman or other person in charge of spray booth or booths, storage of spraying materials, exhaust system, etc., shall secure a certificate of fitness from the administrative official.
This person shall properly instruct all employees as to the hazards of their work and advise as to their responsibility for cooperation in complying with these rules. Every employee shall be responsible for all rules or parts of rules which immediately concern or affect his conduct or the safety of himself or others.
- (b) No motor vehicles shall be taken in or out of a spray booth or spray room under its own power.
- (c) All exhaust fans shall be inspected at least once each week; defects shall be repaired at once or operation of fan discontinued until properly repaired.
- (d) Spray rooms, booths, fans, ducts and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- (e) Brooms, brushes or other cleaning implements made of ferrous metals shall not be used in order to avoid sparks.
- (f) Accumulation of waste, sweepings or deposits from cleaning spray rooms, booths, etc., waste paper, taping or other inflammable refuse is prohibited. All such refuse shall be placed in metal receptacles with proper self-closing covers. The contents of such cans shall be removed from the building at the close of work each day.
- (g) No person shall smoke or carry a lighted cigar, cigarette, pipe or match within any room, enclosed space, cellar, basement or any part of any premises in which highly combustible or inflammable material is maintained, stored or kept for use or sale (Extract from Section 27, Chapter 12 of the Code of Ordinances).

- (h) Every spray room or spray booth shall be equipped with approved fire extinguishing appliances suitable for paint and lacquer fires. At least one standard sand pail shall be provided for each 100 square feet of booth area or area of spray room or extinguishers of the soda-acid, foam, CO-2, or other approved type may be provided, one for each 300 square feet of booth or spray room area. Where the spraying hazard is extensive, mounted type of extinguishers shall be provided as may be required by the administrative official.
- (i) The interior of all booths installed in sprinklered buildings shall be provided with sprinkler heads supplied from an approved source of supply.

Rule 6.

Storage and Mixing

- (a) Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
- (b) Spraying materials not in excess of 20 gallons shall be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.
- (c) Spraying materials in excess of 20 gallons and not exceeding 40 gallons shall be stored in double-walled metal cabinets vented directly to the outer air.
- (d) Spraying materials in excess of 40 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. Storage rooms shall be located at exterior wall window opening, window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- (e) In sprinklered buildings all storage rooms shall be provided with an automatic sprinkler head for each 80 square feet of floor area.
- (f) Storage rooms shall be sprinklered in non-sprinklered buildings and supplied from house supply tanks or house lines, as described in Rule 53 of the Sprinkler Rules.
- (g) The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official.
- (h) Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- (i) Supplies sufficient for not more than one day's work but not exceeding twenty gallons in total to each booth, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in Subdivision k of Rule 6.
- (j) Gravity feed material containers for supplying

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- spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- (k) Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- (l) The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

Rule 7.

General Requirements

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8.

Existing Spray Booth Installations

These rules shall be retroactive in the following respects:

Rule 3.

- Subdivision D—Air Exhaust System.
- " E—Air Supply and Mixing.

Rule 4.

- Subdivision A—Construction of Spray Booths.
- " B—Construction of Baffle Plates.
- " C—Cleaning of Booths.
- " E—Maintenance of Duct Supports.
- " F—Location of Motors.
- " G—Method of Induced Draft.
- " H—Termination of Ventilating System.
- " K—Electric Lighting.

- Subdivision L—Separation of Booths, etc., from flame and sparks.
- " M—Electrical Equipment.
- " N—Heating of Rooms.

Rule 5.

- Subdivision A—Certificate of Fitness.
- " B—Motor vehicles, in booths or rooms.
- " C—Maintenance of Exhaust fans.
- " D—Maintenance of Equipment.
- " E—Cleaning Implements.
- " F—Accumulation and Disposal of Waste Materials.
- " G—Smoking, Matches, etc.
- " H—Fire Appliances.

Rule 6.

- Subdivision A—Storage of Spraying Materials.
- " B—Storage of Spraying Materials less than 20 gallons.
- " C—Storage of Spraying materials not exceeding 40 gallons.
- " D—Storage of Spraying materials exceeding 40 gallons.
- " G—Maximum Storage in non-fireproof buildings.
- " H—Spray room or booth mixing.
- " I—Supplies allowed in booth.
- " J—Gravity Feed containers.
- " L—Smoking, matches, in mixing room.

NOTE:—Subdivisions A, B, C and D may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 7.

- Subdivision A—Posting "No Smoking" signs.
- " B—Clearance of combustible materials.
- " C—Clearance of Automatic Sprinkler heads.

Rule 9.

Approval Forms and Plans

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA. Paasche Spray Painting Equipment.....363-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA. Spraco Spray Painting Equipment.....479-32-SA.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	May Oil Burner.....	68-24-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Auto-Heat Oil Burner.....	284-33-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA		
Ballard Jr. Oil Burner.....	1176-27-SA	National Airoil High Pressure Burner.....	185-29-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil Low Pressure Burner.....	186-29-SA
Best Calorex Burner.....	1464-21-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Brighton Oil Burner.....	372-33-SA	North American Low Pressure Oil Burner...	792-26-SA
Burnwell Mechanical Burner.....	957-22-SA		
Caloroil Burner, Type AA.....	1361-24-SA	Oilbilt Burner.....	85-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Oronoque Oil Burner.....	394-30-SA
Coen Mechanical Oil Burner.....	942-21-SA		
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Paramount Oil Burner, Model A.....	617-30-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
D'Elia Oil Burner.....	155-31-SA	Petro Model W Oil Burner.....	452-31-SA
DeWalt Oil Burner.....	541-31-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Doe Oil Burner.....	317-31-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
Enco Mechanical Oil Burner.....	509-30-SA		
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Quinn Oil Burning Equipment.....	367-21-SA
Frankfort Type P Oil Burner.....	1046-23-SA		
Gem Fuel Oil Burner.....	111-26-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Ghapco Steam Generator.....	348-31-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA		
Gold Star Oil Burner, Models F and S....	166-33-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Grant Oil Burner, Model "C".....	232-32-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
		S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Hammond Oil Burner.....	72-31-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Harris Fuel Oil Burner.....	690-30-SA	Steam Oil Burner.....	183-22-SA
Hart Oil Burner, Model "H".....	221-33-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Sun Heat Oil Burner.....	603-29-SA
Hayward Oil Burner.....	696-30-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Hobeco Oil Burner.....	1278-21-SA	Sunway Oil Burner.....	624-30-SA
Holby Oil Burner.....	328-27-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Holby Type B Fuel Oil Burner.....	689-29-SA		
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
		Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Timken Rotary Oil Burner.....	297-29-SA
Kreager Oil Burner.....	367-30-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
		Todd Rotary Burner, Models A, B and C...	454-25-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Todd Spiro Oil Burner.....	470-31-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Todd Spiro Burner (pump type).....	94-32-SA
Liberty Automatic Heater.....	129-28-SA	Todd Steam Atomizing Fuel Oil Burner....	123-23-SA
Lientz Oil Burner.....	155-20-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Lonergan Automatic Oil Burner.....	208-33-SA		
		Vaporoil Burner	44-32-SA
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Maxon Oil Burner (New Style).....	1036-22-SA	Wizard Automatic Oil Burner.....	181-33-SA

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

737-30-S—519-521 Fifth avenue, northeast corner of East 43rd street, Manhattan.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue, Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

534-31-SA—Page Fuel Burner.

209-32-SA—Crocker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner.

400-32-SA—Superfex Oil Burner for Warm-Air Furnaces.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

62-33-SA—Florence Oil Heater, Model KC-8.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner).

195-33-SA—Bullet Automatic Oil Burners, Models A and B.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

222-33-SA—Dowie Combination Anti-Syphon Valve.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

346-33-SA—Goodspeed Oil Burner Nozzle Type II.

349-33-SA—Herco Oil Burner.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, SP-1 and MP-1.

369-33-SA—S-K Oil Burner, Model "F".

1-34-SA—Hager Silent Check Valve.

16-34-SA—Warner Oil Burner, Model A.

23-34-SA—Webster Fuel Oil Pump, Type A.

32-34-SA—Super Oil Burner for Pressing Machine.

33-34-SA—Tridex Cleaning Machine.

34-34-SA—Standadyne Oil Burner.

36-34-SA—Utility Oil Burner, Model A.

38-34-SA—Real Host Oil Burner.

41-34-SA—Forsdraft Burner.

46-34-SA—May Oil Burner, Type BB.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	17
Cases filed up to April 11, 1934.....	98	Dismissed	5
Restored to Calendar.....	25	Denied	42
		Granted	0
		Granted on condition.....	54
		Appliances approved	13
		Appliances dismissed, disapproved or withdrawn....	22
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	84	Requests to reopen granted.....	72
Requests to amend.....	28	Requests to reopen denied.....	6
Requests for modification.....	1	Requests to amend granted.....	28
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	14	Requests for modification granted.....	1
Requests for extension of permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	6	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	14
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total.....	478	Requests for extension of permit granted.....	9
Disposed of	296	Requests for extension of permit denied.....	0
Cases pending April 11, 1934.....	182	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	6
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	6
		Total.....	296

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, April 23, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, April 30, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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Notices in Building Zone Cases.

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Minutes of Regular Meeting, April 17, 1934, at 2 P. M.

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Approved Fuel Oil Pumps.

Reserve Calendar.

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104-34-A.....	F.D.....	213 W. 69th st. (Block 1161, Lot 25½), Manhattan. 3089-LC.
103-34-A.....	F.D.....	123 W. 64th st. (Block 1136, Lot 24), Manhattan. 2947-LC.
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101-34-BZ.....	D.B.Q.....	188-03 Northern blvd. & 42-41 Utopia pkwy., N. E. Cor. (Block 5364, Lot 1), Auburn-dale, Q. Plan No. 339-34.
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H.D.....	Health Department
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Paint, Varnish and Lacquer Spray- ing Equipment.....	Apr. 17, 1934—Vol. 19 No. 16

COURT DECISION

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

Matter of Levy (Board of Standards & Appeals)—Mr. Justice Cuff—Board reversed. May 31, 1933, Board granted application for gas station, partly in unrestricted and partly in business district, under sect. 21. Cal. No. 93-33-BZ; Premises 246-250 Atlantic Ave., S. W. cor. Boerum Pl., Brooklyn. (N. Y. L. J. Apl. 12, 1934.)

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 23, 1934, AT 2 P. M.

Building Zone Cases.

27-34-BZ.

APPLICANT—Edward P. Doyle, for Henrietta Meinikheim, owner.

PREMISES—72-02 to 72-10 57th avenue and 57-05 to 57-15 Mazeau street, southeast corner (Block No. 2808, Lot No. 79), Maspeth, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

65-34-BZ

APPLICANT—Burke & Olsen, for Domenick Schirripa, owner.

PREMISES—5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a refrigerating plant.

66-34-BZ.

APPLICANT—David L. Woodall, Jr., owner.

PREMISES—Southwest corner of Weeks avenue and East 175th street (Block No. 2796, Lot No. 31), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a business building (stores).

APRIL 24, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday morning, April 24, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 42-34-BZ—Application, February 14, 1934, under section 21 of the building zone resolution, of Jack Jacobson, applicant, on behalf of Emdee Management, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Brooklyn.

CAL. NO. 9-34-BZ—Application, January 19, 1934, under sections 7c and 21 of the building zone resolution, of Robert Gottlieb, applicant, on behalf of Alna Holding Corp., owner, to permit in a business district the change of occupancy of an existing storage warehouse to a factory; premises 4756 Third avenue, northeast corner of East 189th street (Block No. 3033, Lot No. 53), The Bronx.

CAL. NO. 44-34-BZ—Application, February 15, 1934, under section 21 of the building zone resolution, of Robert Schnepfer, applicant, on behalf of Annuncio Ambrosia, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 137-02 to 137-10 Linden boulevard, southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

CAL. NO. 50-34-BZ—Application, February 21, 1934, under sections 7a, 7c and 21 of the building zone resolution, of Adolph Goldberg, applicant, on behalf of North Shore Motor Sales Co., Inc., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry; premises 153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

CAL. NO. 607-31-BZ—Application, December 19, 1931; withdrawn April 26, 1932; reopened and restored to Calendar, February 6, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Ben S. Michaelson, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.
HARRIS H. MURDOCK, *Chairman*.

APRIL 24, 1934, 2 P. M.

Appeals from Administrative Orders.

60-34-A—Southeast corner of Locust avenue and East 134th street (Block No. 2583, Lot Nos. 365 and 369), The Bronx.

64-34-A—121-131 West 19th street (Block No. 795, Lot No. 27), Manhattan.

67-34-A—105-109 Hudson street and 168-174 Franklin street (Block No. 187, Lot No. 30), Manhattan.

Petition for Variation.

61-34-S—91-95—Harrison place (Block No. 2998, Lot No. 45), Brooklyn.

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77-34-SA—Packard Fuel Oil Burner.

86-34-SA—Challenger Oil Burner, Model "A."

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, April 24, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 546-32-BZ—Application, October 31, 1932, under section 21 of the building zone resolution; denied February 3, 1933; reopened January 9, 1934, under section 7f of the building zone resolution, of Archie H. Samuels, applicant, on behalf of 88th Holding Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), The Bronx.

CAL. NO. 8-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Wardell Holding Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 373-33-BZ—Application, December 11, 1933, under section 21 of the building zone resolution, of Henry J. Nurick, applicant, on behalf of Michael Salit, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 176-192 Kings Highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Brooklyn.

CAL. NO. 302-33-BZ—Application, September 18, 1933, under section 21 of the building zone resolution, of Frank Giorgio, Jr., applicant, on behalf of Antonio Monteleone and Rose Monteleone, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

CALENDAR

CAL. NO. 353-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of Saul Goldsmith, applicant, on behalf of Ellen Martin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 27, 1934, 10 A. M.

SPECIAL MEETING

Appeals from Administrative Orders.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 30, 1934, AT 2 P. M.

Building Zone Cases

7-34 BZ.

APPLICANT—Henry C. Brucker, for Salzi Homes, Inc., owner.

PREMISES—Southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

25-34-BZ.

APPLICANT—William Richter, for The Brooklyn Athletic Field, Inc., owner

PREMISES—1196 Ocean parkway (Block No. 5495, part of Lot No. 1000), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the extension of an existing business building.

56-34-BZ.

APPLICANT—Lama and Proskauer, for Joseph Cafiero, owner.

PREMISES—2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of No. 41), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a petroleum storage plant.

84-34-BZ.

APPLICANT—Koch and Wagner, for Lincoln Savings Bank, owner.

PREMISES—7423-7427 Fifth avenue, northeast corner of Bay Ridge parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Brooklyn.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution.

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank).

993-26-BZ.

APPLICANT—Jacob A. Freedman, for Leo Schumer, owner.

PREMISES—5911-5921 22nd avenue, east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened March 27, 1934).

MAY 1, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 1, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 6-34-BZ—Application, January 17, 1934, under sections 7a, 7e and 21 of the building zone resolution, of Harry A. Yarish, applicant, on behalf of Allan A. Kurtz, owner, to permit in a business district the erection and maintenance of stables for more than five (5) horses; premises 507-511 Foster avenue, north side, 178'6 $\frac{3}{4}$ " west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.

CAL. NO. 37-34-BZ—Application, February 10, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Stiroco Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

CAL. NO. 49-34-BZ—Application, February 20, 1934, under section 7a of the building zone resolution, of H. I. Feldman, applicant, on behalf of David Nussdorf, owner, to permit in a residence district the alteration and extension of an existing building used in part for business use; premises 550-554 Bedford avenue northwest corner of Ross street (Block No. 2181, Lot No. 33), Brooklyn.

CAL. NO. 59-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution,

CALENDAR

of Maxwell H. Lanes, applicant, on behalf of Estate of Charles A. Peabody, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores); premises 94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Brooklyn.

CAL. NO. 11-34-BZ—Application, January 22, 1934, under section 21 of the building zone resolution, of Joseph Walsh, applicant, on behalf of Harry Koggan, owner, to permit in a business district the change of occupancy of an existing premises to junk shop; premises 273 Chester street, east side, 179 ft. 2¾ in. south of Blake avenue (Block No. 3560, Lot No. 12), Brooklyn.

CAL. NO. 62-34-BZ—Application, March 6, 1934, under section 21 of the building zone resolution, of Henry C. Harrington, applicant, on behalf of Dagmar Matsen Clements, owner, to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

CAL. NO. 396-30-BZ—Application, June 14, 1930; withdrawn September 30, 1930; reopened December 5, 1933, under section 21 of the building zone resolution, of Benjamin Baser, applicant, on behalf of Isidor Schraub and Celia Silverman, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises 65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 71), Woodside, Borough of Queens.

CAL. NO. 28-34-BZ—Application, January 31, 1934, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Nac Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.

CAL. NO. 383-33-BZ—Application, December 27, 1933, under section 21 of the building zone resolution of Aaron G. Alexander, applicant, on behalf of Matin Realty, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos. 1, 8 and 11), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CAL. NO. 15-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of Julius Auserehl, applicant and owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

MAY 1, 1934, 2 P. M.

Appeals from Administrative Orders.

- 63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.
- 71-34-A—12 East 57th street (Block No. 1292, Lot No. 63), Manhattan.
- 74-34-A—944-946 Halsey street and 881-893 Macon street (Block No. 1495, Lot Nos. 23, 25 and 55), Brooklyn.
- 80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.
- 82-34-A—71-99 Livingston street (Block No. 266, Lot No. 12), Brooklyn.

Petitions for Variations.

- 72-34-S—501-509 Seventh avenue and 137-153 West 37th street, northeast corner (Block No. 813), Lot No. 1), Manhattan.
- 83-34-S—225-235 West 37th street and 230-238 West 38th street (Block No. 787, Lot Nos. 25 to 30 and 59 to 61 inclusive), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 1, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 347-33-BZ—Application, November 17, 1933, under section 21 of the building zone resolution, of Aaron H. Schwartz, applicant, on behalf of Webames Realty Corporation, owner, to permit in a residence district the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling; premises 138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), The Bronx.

CAL. NO. 1236-27-BZ—Application, November 22, 1927; granted on certain conditions May 29, 1928; extension of time granted November 27, 1928, and the time within which to obtain permits and complete work has expired; reopened January 9, 1934, under sections 21 and 7-f of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Dorothy Rehder, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

CALENDAR

CAL. NO. 382-33-BZ—Application, December 26, 1933, under section 21 of the building zone resolution, of Andrew Yablonsky, applicant and owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop; premises southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, MAY 7, 1934, AT 2 P. M.

Building Zone Cases.

1213-24-BZ.

APPLICANT—Chas. Schaefer, Jr., for T. & R. Construction Co., Inc., owner.

PREMISES—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously denied for a garage; reopened October 3, 1933).

78-34-BZ.

APPLICANT—Jos. D. Nunan, Jr., for Cross Bay Theatre, Inc., owner.

PREMISES—94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

81-34-BZ.

APPLICANT—Samuels & Samuels, for Girolomo Staropoli, owner.

PREMISES—196-08 Hillside avenue, south side, 50.42' east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

MAY 8, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 8, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 327-33-BZ—Application, October 18, 1933, under section 21 of the building zone resolution, of Harold J. Crawford, applicant, on behalf of Nora Eberhardt, owner, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks

to a beer storage building; premises 21-17—30th avenue (Block No. 547, Lot No. 7), Astoria, Borough of Queens.

CAL. NO. 375-33-BZ.—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

CAL. NO. 35-34-BZ.—Application, February 9, 1934, under section 21 of the building zone resolution, of Samuel Roth, applicant, on behalf of Fannie Levy, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

CAL. NO. 68-34-BZ.—Application, March 9, 1934, under section 21 of building zone resolution, of Irving Kirshenblit, applicant, on behalf of Sarah Feman, owner, to permit in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type); premises 384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Brooklyn.

CAL. NO. 73-34-BZ.—Application, March 16, 1934, under section 21 of the building zone resolution, of Michael Levine, applicant, on behalf of Karron & Lieberman, Inc., owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station; premises 1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5" south of 20th avenue (Block No. 5464, Lot No. 15), Brooklyn.

CAL. NO. 492-27-BZ.—Application of Levy and Berger, on behalf of Halward Realty Corp., owner, reopened April 17, 1934, for a modification of the resolution, to permit the erection of an additional structure, a one-story building to be occupied as an automobile showroom, this application previously granted under section 21 of the building zone resolution for the erection and maintenance of a gasoline service station located in a business district; premises 1134-1144 East New York avenue (Block No. 4600, Lot No. 7), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

MAY 8, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 8, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following resolutions:*

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39

and 41), East Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 15, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 15, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 1304-25-BZ—Application of Samuel Fish, on behalf of Samuel Berman, owner, reopened March 20, 1934, under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the change of occupancy of an existing building to a motor vehicle repair shop and, also, garage for five (5) motor vehicles; premises 2447 Coney Island avenue, east side, 301'1" north of Avenue V (Block No. 7343, Lot No. 61), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

SPECIAL MEETING

FRIDAY AFTERNOON, APRIL 13, 1934.

Present: Chairman Murdock, Commissioners Savage, Peppe and Blum and Assistant Chief Kidney.

RULES.

217-21-SR.

PETITIONER—American Oil Burner Association, Inc.

SUBJECT—Proposed Revision of Fuel Oil Rules.

APPEARANCES—

Harold O. Berry, L. S. Bloom, Harry Tapp, Wm.

E. White, S. Fingerman, H. E. Horwood, A. Kopelman, Albert Bliss, J. H. McKenna, and others.

For Administration: Chief Peter C. Spence and Inspector Flannigan, fire prevention division, department of buildings; Inspector Michaels of fire department.

ACTION OF BOARD—Laid over indefinitely and referred to committee on Revision of Fuel Oil Rules, for further consideration.

Adjourned, 3:45 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, APRIL 17, 1934.

Present: Chairman Murdock, Commissioners Savage, Peppe and Blum and Assistant Chief Kidney.

The minutes of the special meeting of the board held on Friday afternoon, April 6, 1934; the minutes of the regular meeting of the board held on Tuesday morning, April 10, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, April 10, 1934, were approved as printed in Bulletin No. 16, Vol. XIX.

BUILDING ZONE CASES.

28-34-BZ.

APPLICANT—John J. Dunnigan, for Nac Holding Corp.
SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), Borough of The Bronx.

MINUTES

APPEARANCES—

For Applicant: None.

For Opposition: Walter Spooner, John D. Connaughton.

ACTION OF BOARD—Laid over to May 1, 1934, at 10 a. m., on written request of applicant.

396-30-BZ.

APPLICANT—Benjamin Baser, for Isidor Schraub and Celia Silverman, owners.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar December 5, 1933).

PREMISES AFFECTED—65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 7), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin Baser.

For Opposition: Joseph P. Lucas, John F. Suekus, Timothy O'Shea, Sadie Schettine.

ACTION OF BOARD—Laid over to May 1, 1934, at 2 p. m., for report of committee on inspection. No further argument.

383-33-BZ.

APPLICANT—Aaron G. Alexander, for Matin Realty, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos. 1, 8 and 11), Borough of The Bronx.

APPEARANCES—

For Applicant: Aaron G. Alexander, Thomas J. Gillen.

For Opposition: Arthur M. Stern, Clarence G. Bernheimer, Mrs. Emilie Ebeling, Oliver Goldsmith, Louis Rubel.

ACTION OF BOARD—Laid over to May 1, 1934, at 2 p. m., for report of committee on inspection. No further argument.

15-34-BZ.

APPLICANT—Julius Auserehl, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Foch boulevard and 219th street (block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Sidney R. Nussenfeld, Julius Auserehl, James J. Gallagher.

For Opposition: John P. McGrath, Frank Richards.

ACTION OF BOARD—Laid over to May 1, 1934, at 2 p. m., for report of committee on inspection. No further argument.

347-33-BZ.

APPLICANT—Aaron H. Schwartz, for Webames Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district

the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling.

PREMISES AFFECTED—138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), Borough of The Bronx.

APPEARANCES—

For Applicant: Aaron H. Schwartz, David Conjorsky.

For Opposition: M. Siegel, Samuel Aginsky, A. Louis Kiebel, Bessie Aginsky, H. J. McNally, Charles Peck, Isidor Wacht.

ACTION OF BOARD—Laid over to May 1, 1934, at 2 p. m., for report of committee on inspection. No further argument.

1236-27-BZ.

APPLICANT—Archie H. Samuels, for Dorothy Rehder, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 21 and 7 (f) of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously granted on certain conditions and the time within which to obtain permits and complete work has expired; reopened January 9, 1934).

PREMISES AFFECTED—Southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: William Rochkind.

ACTION OF BOARD—Laid over to May 1, 1934, at 2 p. m., for report of committee on inspection. No further argument.

524-31-BZ.

APPLICANT—Martin J. Lyons, Jr., for Hilton Motors, Inc., lessee; Fordham Towers, Inc., present owner.

SUBJECT—Application re reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence district an open air automobile sales space in lieu of the business building for retail store purposes granted by the board.

PREMISES AFFECTED—2332-2340 Grand Concourse and Boulevard, 2331-2345 Ryer avenue and 244 Field place (Block No. 3159, Lot Nos. 13, 14, 15, 19 and 23), Borough of The Bronx.

APPEARANCES—

For Applicant: Francis X. Stephens.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

1250-27-BZ.

APPLICANT—Susselman & Michael, for Ozark Realty Corp., present owner.

SUBJECT—Request for reopening—amendment of resolution to include parking space—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—3465-3479 Fort Hamilton parkway, south side, 225 ft. west of Chester avenue (Block No. 5302, Lot No. 32), Borough of Brooklyn.

MINUTES

APPEARANCES—

For Applicant: Berton H. Michael.

ACTION OF BOARD—Request to reopen withdrawn by applicant.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

492-27-BZ.

APPLICANT—Levy & Berger, for Halward Realty Corp., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1134-1144 East New York avenue (Block No. 4600, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Levy, Jr.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing May 8, 1934, at 10 a. m. Applicant directed to notify property owners by regular mail.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

629-32-BZ.

APPLICANT—Louis A. Jackson for Samuel J. Wood and Evelyn Wood, owners.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—East side of Hugh J. Grant Circle, from Westchester avenue to East 177th street (Block No. 3796, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis A. Jackson.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(629-32-BZ)

WHEREAS, this application affecting premises east side of Hugh J. Grant Circle from Westchester avenue to East 177th street (Block No. 3796, Lot No. 1), Borough of The Bronx, was granted by the board June 9, 1933, on certain conditions, and owner requested an extension of the time limit imposed to obtain permits and complete work.

Resolved, that the resolution of the board adopted on June 9, 1933, be and it hereby is amended only so far as it has reference to obtaining of permits and completion of work, so that as amended the last clause of the resolution shall read:

"... that all permits required shall be obtained within six months and all work completed within one year from the date of this amended resolution on condition that the resolution, other than as amended herein, shall be complied with in all respects."

PETITION FOR VARIATION.

737-30-S.

PETITIONER—John Caldwell Myers, for 521 Fifth Avenue, Inc., owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—519-521 Fifth avenue, northeast corner of 43rd street (Block No. 1278, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn on written request of petitioner, order having been rescinded.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

Adjourned, 1:15 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, APRIL 17, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

382-33-BZ.

APPLICANT—Andrew Yablonsky, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—Southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: John P. Andreanow, Charles Willey.

For Opposition: Charles Haje.

MINUTES

ACTION OF BOARD—Laid over to May 1, 1934, at 2 p. m., for report of committee on inspection. No further argument.

378-33-BZ.

APPLICANT—Rubenstein and Rosling, for Kings Brewery, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building).

PREMISES AFFECTED—225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Rosling.

For Opposition: None.

ACTION OF BOARD—Application placed on reserve calendar, pending removal of blower and sealing up of door and filing of proper plans with commissioner of buildings.

14-34-BZ.

APPLICANT—John F. Meehan, for Isaac D. Reynolds, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Daniel Marshall, Isaac D. Reynolds.

For Opposition: None.

ACTION OF BOARD—Laid over to May 8, 1934, at 2 p. m., to amend plans and notify adjoining property owners by regular mail.

380-33-BZ.

APPLICANT—Joseph B. Schwartz, for Frank Teltsch, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—475-477 Kings highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Borough of Brooklyn.

APPEARANCES—

For Appellant: D. George Levine.

For Opposition: Mario Musty, Frederick Musty, L. R. Surberg, C. Lese.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Peppe, Savage and Blum and Assistant

Chief Kidney 5

Absent 0

THE RESOLUTION—

(380-33-BZ)

WHEREAS, Joseph B. Schwartz, for Frank Teltsch, owner, filed, December 19, 1933, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; premises: 475-477 Kings highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 17, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kings highway is in a business district, McDonald avenue is in a business and unrestricted district and East 2nd street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 23, 1933, re App. No. 14138-33, reads:

“Proposed gasoline service station to be located in a business use district is contrary to article 2, section 4a of zone resolution.”

and

WHEREAS, the premises consist of a plot of ground having a frontage of 38 ft. 10 in. on Kings highway and 106 ft. on McDonald avenue, upon which it is proposed to erect a one-story office 12 ft. by 22 ft. in area and, also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 380-33-BZ.

475-477 Kings highway, northeast corner of McDonald avenue (Block No. 6658, Lot No. 54), Borough of Brooklyn.

The application in this case is for a zoning variance in a business district at the northeast corner of McDonald avenue and Kings highway to permit the maintenance of a service station including the sale of gasoline.

The plot has a frontage of 38 ft. 10 in. on Kings highway and 106 ft. on McDonald avenue and is now vacant, there having been a residential building on the plot but which has been removed; there are bill boards on the premises.

Both highways are important thoroughfares although Kings highway is the most developed with stores and other business uses. Through McDonald avenue is the elevated railway of the Culver Line with a station at the opposite corner.

This is the only one of the four corners vacant. The other three are developed with conforming uses and the committee which inspected this site and the adjoining section on April 12, 1934, could see no reason why this corner could not be similarly used.

There appears to be no hardship or practical difficulty in conforming to the law. Inquiry by the committee indicated that stores would rent as the store vacancies in the neighborhood are not unusually great in number.

With the proposed gasoline station located so closely to the elevated station exits, public welfare would not be served by turning this corner over to the non-conforming use proposed particularly as the lot is relatively shallow, and it would result in excessive usage of the sidewalks for entrances.

There are no consents and nineteen (19) objections.

The committee cannot find that any hardship has been proven and recommends denial.

(Signed) HARRIS H. MURDOCK,

Chairman.

VINCENT C. PEPPE,

CHARLES M. BLUM,

BERNARD A. SAVAGE,

Committee on Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate his basis of application under section 21.

MINUTES

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

3-34-BZ.

APPLICANT—William Shary, for Estate of Jonas Weil, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles which is located in an unrestricted district and as a parking space for more than 5 motor vehicles.

PREMISES AFFECTED—229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot No. 13, 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(3-34-BZ)

WHEREAS, William Shary, for Estate of Jonas Weil, owner, filed, January 10, 1934, an application under the building zone resolution to permit in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles which is located in an unrestricted district, and as a parking space for more than 5 motor vehicles; premises: 229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot Nos. 13, 49, 50 and 51), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 17, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 61st street is in a business district, West 60th street is in an unrestricted district, Amsterdam avenue is in a business district and West End avenue is in an unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 21, 1933, re Applic. No. 2322-33, reads:

"4. Access through lot at the north which is in a business district to a garage is contrary to section 4 of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. and a depth of 100 ft. 5 in.; it is proposed to use this vacant plot as access to an existing garage located at the rear (on premises 229-235 West 60th street). Plans indicate an existing 10 ft. wide door leading from the existing garage to the premises in question; and

WHEREAS, a committee of the board visited and inspected these premises on April 5, 1934, and recommended the granting of the application.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21, permitting the plot under appeal to be used for the temporary storage of taxicabs under the ownership and control of the tenant in the garage adjoining at Nos. 229-235 West 60th street and permitting access to this lot from that garage through a doorway not over 10 ft. in width *on condition* that there shall be erected on the West 61st street building line and on the side lot lines where brick walls do not already exist, a substantial woven wire fence

not less than 6 ft. in height; that the opening to West 61st street shall not exceed 10 ft. in width with a curb cut opposite this opening not over 12 ft. in width; that this variance shall continue only so long as this lot is used in conjunction with the 1st floor garage tenant and for storage of taxicabs only and in no event beyond five (5) years from the date of this action.

512-31-BZ.

APPLICANT—George Tiernan, for Regina Boulevard Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar November 14, 1933).

PREMISES AFFECTED—Southeast corner of Mott avenue and Regina boulevard (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: George Tiernan.

For Opposition: J. V. Reilly, Julia F. Maguire.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(512-31-BZ)

WHEREAS, George Tiernan, for Regina Boulevard Corporation, owner, filed, October 19, 1931; withdrawn January 19, 1932; reopened and restored to calendar November 14, 1933 an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: southeast corner of Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 17, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Mott avenue is in a business district and Regina boulevard is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 6, 1933, re Plan No. N.B. 4962-31, reads:

"1. The erection of a gasoline station in a business district is contrary to article 2, section 4 of the zoning law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of approximately 153 ft. on Mott avenue, 65.5 ft. on Regina boulevard and a distance of 116.2 ft. along the east lot line; upon the westerly portion of the plot there is located a 2-story frame structure (approximately 65 ft. by 21 ft. in area) which is to be removed; upon the central portion of the plot there is located a 2½-story frame structure (approximately 40 ft. by 40 ft. in area) which also, is to be removed; on the southeast corner of the plot there is located a 1-story frame garage 21 ft. by 14 ft. in area. It is proposed to erect on the site a 1-story office 16 ft. by 8 ft. 8 in. in area, grease rack, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

MINUTES

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 512-31-BZ.

Premises: Southeast corner Regina boulevard and Mott avenue (Block No. 216 (53), Lot Nos. 100 and 105), Far Rockaway, Borough of Queens.

The premises under appeal were inspected by a committee of the board on April 3, 1934, and consist of an irregular shaped plot at the intersection of Regina boulevard and Mott avenue in an area zoned for business use. This section, while adjacent to the main business section, is actually on the edge of the residential area. In fact the section south, west and north of the plot under appeal is almost entirely residential although zoned for business use. A growth of business needs westerly from the Far Rockaway station would undoubtedly absorb the properties at this intersection, but from present appearances the few stores on the northerly side of Mott avenue and opposite the premises under appeal are sufficient for the present at least. It would appear that the owners of the site under consideration may have over estimated its speculative value as business property and burdened by the carrying charges and amortization of the mortgages have turned to a gasoline station as a means of easing the load.

At present there are two frame houses on the plot which it is proposed to demolish. One of these nearer the corner is unquestionably beyond repair and of no intrinsic value. The other is apparently in fair condition and now occupied as a boarding house. While these conditions indicate deterioration and transition, the general residential use adjacent indicates that to permit a gasoline service station would hasten unduly the deterioration of this section to the great hardship of adjacent owners.

Unquestionably the owners of this plot under appeal are suffering financially from their investment but hardship and practical difficulties as meant by the zoning resolution do not exist. Under normal conditions and with the growth in population that may be expected, this corner is adaptable to a conforming use, and, in the opinion of the committee, much as they sympathize with the problems the owners have, this corner should not be given over to a gasoline station, and denial is recommended.

(Signed) HARRIS H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

343-33-BZ.

APPLICANT—Milton Kaplan, for Milton Kaplan and Katie Baum, owners.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton Kaplan.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(343-33-BZ)

WHEREAS, Milton Kaplan, for Milton Kaplan and Katie Baum, owners, filed, November 14, 1933, an application under the building zone resolution to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises: 1384-1392 Linden boulevard, southeast corner of Bristol street (Block No. 3642, Lot No. 22), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 17, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a residence district, Bristol street is in a business district and Chester street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 3, 1933, re Applic. No. 13147-33, reads:

"Proposed office for gasoline and crank case service station to be located partly in a residential and partly in a business use district is contrary to article 2, sections 3 and 4a of zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 93 ft. 1 in. on Linden boulevard and 106 ft. 6 in. on Bristol street. The south portion of the plot extends into the residence district for a distance of 6 ft. 6 in.—the remainder of the plot is in the business district. Proposes to erect on the plot a one-story office 20 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Cal. No. 343-33-BZ.

Premises: 1384-1392 Linden boulevard, southeast corner Bristol street (Block No. 3642, Lot No. 22), Borough of Brooklyn.

This is an application for a variance to permit a gasoline service station at the southeast corner of Bristol street and Linden boulevard in a residential use district.

Except for the fact that the boulevard has been constructed at large expense and at great width and is intended to be one of the most important boulevards, present conditions would indicate that certain hardships exist which might normally justify granting this variance. The adjoining section on Bristol street, although zoned for business use, is built up solidly with two-story dwellings, unquestionably improper zoning. Across Linden boulevard and to the rear of the frontage are car barns and in sight nearby are coal pockets and other business uses not conducive to residential development. Furthermore, on this plot tanks for the storage of gasoline were installed prior to the zoning use change, and up to 1931 permits have been issued by the fire department.

It is the urgent request of the Borough President that Linden boulevard should not be given over to gasoline service stations. There are an ample number already in existence and to permit more would tend to nullify the purposes for which this boulevard was constructed. It is difficult to draw the line when there are many locations like this one which are lying idle

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with large carrying charges and no immediate prospect of development with profitable conforming uses, but the committee which inspected these premises on April 5, 1934, believes that the greater good of the city and that section particularly must be considered, and recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and
WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate his basis of application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

629-29-BZ.

APPLICANT—John M. Baker, architect for Queens County Motor Car Co., Inc., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under sections 7g and 21 of the building zone resolution, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a warehouse for the storage of more than five (5) motor vehicles, also the installation of a motor vehicle repair shop, a gasoline storage system and a salesroom.

PREMISES AFFECTED—137-40 Queens boulevard and 137-28 Barrett street, southeast corner (Block No. 708, part of Lot No. 1), Briarwood, Borough of Queens.

APPEARANCES—

For Applicant: John M. Baker.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(629-29-BZ)

WHEREAS, this application affecting premises 137-40 Queens boulevard and 137-28 Barrett street, southeast corner (Block No. 708, part of Lot No. 1), Briarwood, Borough of Queens, was granted by the board November 19, 1931, on certain conditions, and applicant requests an extension of the time limit imposed and an amendment of the conditions of the resolution.

Resolved, that the resolution of the board, adopted November 19, 1931, be and it hereby is *amended*, so that as amended it will read as follows:

Granted on condition that the building shall be constructed fireproof throughout; that the area and dimension of the building shall be in accordance with the revised plans marked "received April 12, 1934"; that not more than five (5) automobiles shall be maintained at any one time in live storage; that the easterly gable wall shall be unpierced throughout its entire height and length; that no part of this structure shall be conducted as a public garage; that the motor vehicle repair shall be restricted to that inci-

dental to conduct, service and operation of automobiles sold and exchanged in this agency; that there shall be no anvil, open forge or power driven machinery installed other than light power electric drills and punches, no machine requiring more than ½ h. p. motor; that the exterior of the building on all fronts shall be constructed of finished face material and, as to design, substantially in accordance with the drawings and elevation marked "received September 30, 1931"; that any advertising shall be restricted to one projecting electric sign attached to the building at the corner formed by the intersection of Barrett street and Queens boulevard; that any gasoline storage maintained on the premises shall be in accordance with the legal requirements and restricted to the servicing of automobiles before discharge from the premises, permitting not more than one 550 gallon tank and prohibiting the conduct and operation of a gasoline station for public use; that the vehicular entrance to the building shall be limited to two (2), as indicated on the plans marked "received April 12, 1934," both entrances being from 84th road, that in view of statement that all permits have been obtained, all work involved shall be completed within one (1) year from the date of this amended resolution.

72-30-BZ.

APPLICANT—Benjamin Driesler, Jr., architect, for The Connelly Construction Co., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the omission of a proposed garage and gasoline service station granted by the board and the substitution of a gasoline service station and motor vehicle repair shop.

PREMISES AFFECTED—3491-3507 Fort Hamilton parkway, south side, 264 ft. 5 in. east of 36th street (Block No. 5302, part of Lot No. 21 and part of Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(72-30-BZ)

WHEREAS, this application affecting premises 3491-3507 Fort Hamilton parkway, south side, 264 ft. 5 in. east of 36th street (Block No. 5302, Lot No. 21 and part of Lot No. 27), Borough of Brooklyn, was granted by the board October 17, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution of the board, adopted October 17, 1933, be and it hereby is *amended*, only so far as it refers to the completion of the work, so that as amended this clause of the resolution will read:

"That in view of statement by the applicant that all permits have been obtained and that the masonry wall at the rear lot line has been constructed, all work shall be completed within one (1) year from the date of this amended resolution on condition that all requirements of the resolution of October 17, 1933, shall be complied with in all respects other than as amended herein."

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202-30-BZ.

APPLICANT—Porter Holding Corp., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—220-06 Northern boulevard (Block No. 3213, part of Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Irving S. White.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(202-30-BZ)

WHEREAS, this application affecting premises 220-06 Northern boulevard (Block No. 3213, part of Lot No. 1), Bayside, Borough of Queens, was granted by the board July 5, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution of the board, adopted July 5, 1933, be and it hereby is *amended*, only so far as it refers to the obtaining of permits and completion of work, so that as amended this clause of the resolution will read:

"That all permits shall be obtained within three (3) months and all work completed within one (1) year from the date of this amended resolution *on condition* that other than as amended herein, all requirements of the resolution adopted on July 5, 1933, shall be complied with in all other respects."

APPEALS FROM ADMINISTRATIVE ORDERS.

64-34-A.

APPELLANT—Croker Fire Prevention Corp., for Morris White Properties, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner and a decision of the commissioner of buildings.

PREMISES AFFECTED—121-131 West 19th street (Block No. 795, Lot No. 27), Borough of Manhattan.

APPEARANCES—

For Appellant: None.

For Administration: None.

ACTION OF BOARD—Laid over to April 24, 1934, at 2 p. m., upon written request of appellant.

106-34-A.

APPELLANT—Croker Fire Prevention Corp., for 27 West 20th Street Corp., owner.

SUBJECT—For Acceptance—Appeal from order of commissioner of buildings.

PREMISES AFFECTED—27-33 West 20th street (Block No. 822, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Appellant: None.

For Administration: None.

ACTION OF BOARD—Appeal accepted.

THE VOTE TO ACCEPT APPEAL—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

PETITIONS FOR VARIATIONS.

61-34-S.

PETITIONER—General Neon Tube Corp., lessee.

SUBJECT—Petition for variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—91-95 Harrison place (Block No. 2998, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Petitioner—J. Harris Kloner.

For Administration: None.

ACTION OF BOARD—Petition laid over to April 24, 1934, at 2 p. m., for petitioner to file with the board, a copy of Certificate of Occupancy.

336-33-S.

PETITIONER—Victor Mayper, for Fulton Investing Corp., owner.

SUBJECT—Petition for variation of the labor law as cited in orders and a decision of the commissioner of buildings (previously withdrawn; reopened March 13, 1934).

PREMISES AFFECTED—435-445 Fulton street and 408-420 Jay street, northwest corner (Block No. 150, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Petitioner: Victor Mayper.

For Administration: None.

ACTION OF BOARD—Petition granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(336-33-S)

WHEREAS, Victor Mayper, for Fulton Investing Corp., owner, filed November 2, 1933, a petition for a variation from the requirements of the labor law as cited in orders and a decision of the commissioner of buildings, affecting premises 435-445 Fulton street and 408-420 Jay street, northwest corner (Block No. 150, Lot No. 1), Borough of Brooklyn, and

WHEREAS, the orders of the commissioner of buildings, rendered October 3, 1933, reads:—

"Order No. 0434-LD

"Install an adequate interior electric fire alarm system in accordance with the Rules of Board of Standards and Appeals and the enclosed approved layout.

"This is specifically required by the labor law and the building department is charged with the duty of enforcing the same. Failure to comply with the several sections of the labor law constitutes a misdemeanor punishable by fine or imprisonment, or both.

"I hope that you will co-operate with this department in complying with the above requirements. A re-inspection of your premises will be made in 20 days, at which time I trust there will be no necessity for criminal action."

"Order No. 0435-LD

"An inspection of the premises 425-33 Fulton street and 408-20 Jay street, Borough of Brooklyn, shows that a fire drill should be established and maintained therein according to the requirements of Section 279 of the labor law. The labor law specifically charges the building commissioner with the duty of enforcing

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the provisions of the law, as to fire drills. This law also holds the owner of such premises responsible for the proper supervision and maintenance of fire drills. It is, therefore, your duty to organize and maintain a fire drill in the above premises in accordance with the rules and regulations of the Board of Standards and Appeals. A record of such drills, including the name and number of each certified drill conductor engaged in conducting each drill, the date of each drill and the number of persons taking part in each drill, shall be transmitted by you or your representative to this office semi-annually.

"All forms necessary will be furnished to your authorized representative when he calls at this office for a certificate of fitness as drill conductor."; and

WHEREAS, the decision of the commissioner of buildings, rendered February 21, 1934, reads:—

"In reply to correspondence No. 11912 of December 22, 1933, wherein a request is made that a new, amended Certificate of Occupancy be issued, I beg to advise that the occupancy of the above premises is as follows:—

5th story—Sales Room
4th story—Dental Laboratories
3rd story—Dental Laboratories
2nd story—Vacant
1st story—Stores

"The above occupancy constitutes a factory building under Article 1, Section 2, subdivision 9 and 10 of the labor law.

"The following orders are pending in court for enforcement, case adjourned to February 28th, 1934.

"Order No. 0434-LD—1. Install an adequate interior electric fire alarm system in accordance with the Rules of the Board of Standards and Appeals and the enclosed approved layout.

"Order No. 0435-LD—1. Institute a fire drill. LL 279.

"You are required to comply with the above named orders before a Certificate of Occupancy can be issued."

and

WHEREAS, the building is fireproof, 5 stories in height, 87 feet 4 inches by 111 feet 3½ inc. in area; OCCUPIED: cellar storage; 1st story, stores, 30 persons; upper stories, offices and showrooms, 60 persons per story; located in a business district; EXITS: two interior fireproof stairways, extending from the 1st story to roof, having a common entrance hall leading to the street, enclosed in fireproof partitions with fireproof doors at openings; and

WHEREAS, the petitioner claims the building is of reinforced concrete construction, laid out in strict conformity with requirements of the labor law, erected in 1932, certificate of occupancy issued November 15, 1932 for offices and showrooms; a small portion of the 2nd, 3rd and 4th stories are occupied by dental laboratories, not more than 50 persons engaged; a new certificate of occupancy permitting such use is requested by the petitioner; the ruling that these dental mechanics are factory employees is a border line decision; the maintenance of regular fire drills would be obnoxious to the tenants as uncalled for, also most unusual for customers purchasing merchandise and for patients while being treated by dentists; most of the tenants would seek offices elsewhere at a great loss to the owner if the orders were enforced; furthermore, the cost of installing a fire-alarm system would be a hardship upon the owner as the character and occupancy does not justify the same.

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the labor law and that the petition be and it hereby is granted as to Order No. 0434-LD on condition that there shall be installed on every floor on which persons are employed at factory work, not less than one interior fire alarm box and gong, located centrally; granted as to Order No. 0435-LD on condition that all persons employed at factory

work shall participate in a duly organized fire drill at least once in three months; that the factory occupancy of this building shall be restricted to the work of dental laboratories; that the total occupancy of persons employed at factory work at no time shall exceed 50; and that this variance is granted only so long as this building is not increased in height or area.

APPLIANCES SUBMITTED FOR APPROVAL.

69-34-SA.

PETITIONER—Max Ashpes, owner.

SUBJECT—Max Ashpes Pot Type Oil Burner, approval of.

APPEARANCES—

For Petitioner: Max Ashpes.

ACTION OF BOARD—Petitioned placed on reserve calendar, referred to engineer of board and bureau of combustibles, fire department, for test and report.

75-34-SA.

PETITIONER—David Kaufman, for Liberty Research Laboratories, Inc., owner.

SUBJECT—Liberty Pressure Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of board and bureau of combustibles, fire department, for test and report.

41-34-SA.

PETITIONER—David Kaufman, for Forsdraft Burner Co., owner.

SUBJECT—Forsdraft Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of board and bureau of combustible, fire department.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative 5
Absent 0

THE RESOLUTION—

(41-34-SA)

WHEREAS, David Kaufman, for Forsdraft Burner Co., owner, filed, February 14, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Forsdraft Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the force draft mechanical atomizing type and consists of the following parts: A Wagner Water Horsepower Electric Motor; a Dongan Transformer; a Kellogg No. 401 Air Compressor, having a displacement of one cubic foot; an American Blower Fan and A-C Spark Electrodes, and Automatic Products Constant Level Valve. Between the constant level valve and the oil inlet to the nozzle there is an automatic Solenoid valve.

Ignition—Electric.

Controls—A Pressure-switch No. 9158-J and Lock-switch No. 416-2. Manufactured by Minneapolis Honey-Well Co.

Operation—When the burner is put into operation the oil is allowed to rise in the supply tube to the tip

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of a certain set level, which is governed by the setting of the constant level valve.

The compressor builds up a pressure of about ten pounds per square inch, at which pressure the air flow through the nozzle orifice equals the displacement of the compressor, thus preventing a further rise in air pressure. A safety valve on the air chamber prevents an excessive rise in pressure should the nozzle orifice become clogged. The flow of air through the nozzle creates a vacuum at the tip thus inducing oil to flow in the nozzle from the constant level float chamber, which is located below the level of the nozzle.

The compressed air atomizes the air drawn up by vacuum created in the nozzle and discharges the vapor thus formed in the combustible chamber. The secondary air is supplied by the blower. The vapor air mixture is ignited by an electric spark. The oil consumption is at the rate of one-half gallon per hour. The air compressor is driven by means of a belt from the shaft of the motor. In case the air compressor should fail to function, it is impossible for any oil to be driven into the combustion chamber.

With the coal combustion chamber and the oil supply shut off the burner was started, and on two successive testings, the electric switch shut-off the burner in 30 and 33 seconds, respectively. The flame was clear from all smoke and soot. There was no undue evidence of carbon deposits.

Therefore, we recommend that the Forsdraft Oil Burner be approved for domestic, industrial and commercial uses when installed in accordance with the Fuel Oil Rules, adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Forsdraft Oil Burner, for use in domestic, industrial and commercial installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

46-34-SA.

PETITIONER—William G. Shrive, Jr., for May Oil Burner Corp., owner.

SUBJECT—May Oil Burner—Type BB—Approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of board and bureau of combustibles, fire department.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(46-34-SA)

WHEREAS, William G. Shrive, Jr., for May Oil Burner Corp., owner, filed, February 16, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the May Oil Burner, Type BB; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This is a mechanical pressure atomizer gun type burner and consists of the following parts:

Century $\frac{1}{8}$ H. P. motor; Detroit regulating and cut off valve; American Blower; Cuno strainer; Jewell nozzle and a Gerotor pump and transformer of 110-10,000 volts.

Ignition—electric.

Controls—A pressure switch numbered 33-B, manu-

factured by the Time-o-Stat Control Company, and a Quiet May Panel Control, MHR-117-3, manufactured by the Minneapolis Honeywell Company.

Examination of the spark showed it to be of sufficient intensity and length for proper ignition.

Operating the burner with a cold combustion chamber and the oil supply shut off, the Stack switch operated and shut the burner down in 72 and 74 seconds respectively on two successive tests. The burner was then operated under normal conditions, and the flame was found to be clear of smoke and soot. Examination of combustion chamber showed no undue deposits of carbon, and during the period of operation, there were no flare backs or puffs.

We therefore recommend that the May Oil Burner, Type BB, be approved for domestic use when installed in accordance with the Fuel Oil Rules of the Board of Standards and Appeals.

and

WHEREAS, this device was submitted to the Underwriters Laboratories for test and a report approving the device is being prepared.

Resolved, that the Board of Standard and Appeals does hereby approve the device known as the May Oil Burner Type BB for use in domestic installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

62-33-SA.

PETITIONER—Florence Stove Company, owner.

SUBJECT—Florence Oil Heater, Model KC-9, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of board and bureau of combustibles, fire department.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

5

Negative

0

Absent

0

THE RESOLUTION—

(62-33-SA)

WHEREAS, the Florence Stove Company, owner, filed, February 16, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Florence Oil Heater, Model KC-9; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representative of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This is a double ring pot burner. The base has two grooves in which the oil is converted to a vapor. The vapor is mixed with air by passing up through four perforated cylinders setting on the grooves. Combustion takes place in these cylinders. In order to facilitate the lighting of the burner, an asbestos wick is placed at the base. The oil feeds to the burner through a metal tank, slightly greater than two gallons. This tank is made of 24 gauge rust resisting material, and sets in the cast iron oil reservoir. The oil flows into this reservoir until the level reaches the bottom of the filler cap, which seals off the opening in the tank and forms a slight vacuum in it so that the oil stops feeding.

There is an absolutely constant level of oil in the lower oil reservoir at all times. The burner casting is then adjusted in the heater so that the oil level can never rise above $\frac{5}{16}$ " from the bottom, the total height of the grooves in the casting being $\frac{7}{8}$ ". In this

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way, even though the valve were left wide open, there is no possibility of oil running over the burner, or flooding in any way.

The heater is vented through a 5" smoke pipe equipped with an adjustable damper which has ample venting capacity, under all conditions. The air supply by combustion is by means of natural draft.

We therefore recommend that this burner be approved for domestic use when installed in accordance with the Fuel Oil Rules adopted by the Board of Standards and Appeals, and provided that a metal fuel tank be provided with a false perforated bottom, that the fuel oil control valve shall have a fixed stop attached thereto at a point at which complete combustion will be obtained so as to permit the valve from being opened beyond that point.

Resolved, that the Board of Standard and Appeals does hereby approve the device known as the Florence Oil Heater, Model KC-9, for use in domestic installations when installed in accordance with above report and the Fuel Oil Rules (Rule 22) of the Board of Standards and Appeals and *on condition* that the shell of the burner shall be air-tight and that the valve shall be so adjusted that complete combustion will take place; *further on condition* that the fuel control valve shall have a fixed stop attached thereto at a point at which complete combustion will be attained so as to prevent the valve being opened beyond that point.

400-32-SA.

PETITIONER—Arnold M. Goldstein, for Perfection Stove Co., owner.

SUBJECT—Superfex Oil Burner for Warm-Air Furnaces, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of board and bureau of combustibles, fire department.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(400-32-SA)

WHEREAS, Arnold M. Goldstein, for Perfection Stove Co., owner, filed, July 15, 1932, a petition with the Board of Standards and Appeals for approval of the device known as the Superfex Oil Burner for Warm Air Furnaces; and

WHEREAS, this device was approved by the board January 20, 1933, and petitioner requested an approval for an improved device; and

WHEREAS, the improved device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

We inspected the Superfex Oil Burner and Warm Air Furnaces to which an air booster had been added. The warm air furnace and burner unit differs in respect from that which was already approved in the following manner:

An air booster consisting of 1/50 H.P. electric motor, manufactured by the Ohio Electric Company, and a blower, manufactured by the Berggren Engineering Company, have been so installed as to supply air directly to the combustion chamber of the burner.

At 725 Argyle road, Brooklyn, we inspected the warm air furnace with an air conditioning unit attached thereto. In this installation, the oil burner and furnace are the same as that which was originally passed upon, except that there has been added an air conditioning system, consisting of a 1/8 H.P. Emerson motor and fan. This is so arranged that it draws the air from the rooms in the building, passes it through filters and then returns the same under small pressure to the hot air circulating system of the boiler, and to the combustion chambers of the oil burner.

This particular unit has two mercooid switches, installed in the bonnet of the burner. One mercooid switch shuts down the flow of oil if the bonnet gets too hot. The other mercooid switch governs the operation of the air conditioning blower when the temperature in the bonnet reaches 150 deg. or more.

As there is no radical change from the original design, which has been approved, we recommend that the Superfex Oil Burner with an air booster and air conditioning unit be approved for domestic use when installed in accordance with the Fuel Oil Rules of the Board of Standards and Appeals.

and

WHEREAS, the original device was tested and approved by the Underwriters Laboratories.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Superfex Oil Burner for Warm Air Furnaces and the said burner with booster and air conditioning unit attached for use in domestic installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

Meeting adjourned, 3:15 p. m.

EDWARD V. BARTON, Chief Clerk.

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CORRECTION*

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday morning, March 27, 1934, as they appeared in Bulletin No. 14, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(410-31-BZ)

WHEREAS, this application affecting premises 175-14 Horace Harding boulevard, south side, 117.71 ft. west of Utopia parkway (Block No. 2661, Lot No. 26), Flushing, Borough of Queens, was granted by the board for a temporary period of two years under section 7, subdivision F, April

29, 1932, and applicant requests an extension of the period.

Resolved, that the resolution adopted April 29, 1932, be amended, so that as amended it will read, granted for a temporary period of two years from March 27, 1934, under section 7, subdivision F, *on condition* that other than as amended herein the resolution of the board adopted on April 29, 1932, shall be complied with in all respects.

*Correction—Words "from March 27, 1934" added in line 9 of resolution. Section 1 changed to section 7 in same line.

Words "from the date of this amended resolution" omitted in line 10 of resolution.

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CORRECTION*

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday, April 10, 1934, as they appeared in Bulletin No. 16, Vol. XIX, are hereby corrected to read as follows:

132-31-BZ.

APPLICANT—Kennedy and Ellner, for Wandil Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service

*Correction—Calendar number changed from 132-21-BZ to 132-31-BZ.

station and a motor vehicle repair shop, previously dismissed for lack of prosecution; reopened and restored to calendar November 21, 1933.

PREMISES AFFECTED—Northwest corner of Liberty avenue and 130th street (Block No. 577, Lot Nos. 51, 52 and 54), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Peppe, Savage and Blum and Assistant

Chief Kidney 5

Absent 0

APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Kraissl Fuel Oil Pump.....	60-28-SA
American Marsh Simplex.....	639-25-SA	Leiman Rotary	95-24-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	M. D. Rotary.....	52-27-SA
Beach Russ Co. Rotary.....	1134-22-SA	Milwaukee Piston Rotating Port Pump....	763-25-SA
Blackmer Rotary	935-24-SA	Monroe Oil Pump.....	658-26-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Northern Rotary	1396-24-SA
Century Rotary	908-21-SA	Pascoe Pump Set.....	1029-26-SA
Cook Electric Oil Pump.....	603-25-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Davidson	590-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Dean Bros. Durable Duplex.....	840-22-SA	Quimby Screw Pump.....	1193-21-SA
DeLaval IMO Oil Pump.....	628-32-SA	Ray Rotary	588-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Rotary Vacuum Pump.....	513-25-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

Appliances Submitted for Approval.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

534-31-SA—Page Fuel Burner.

209-32-SA—Crocker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

375-32-SA—S. T. Johnson Low Pressure Air Equipment Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner).

195-33-SA—Bullet Automatic Oil Burners, Models A and B.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

222-33-SA—Dowie Combination Anti-Syphon Valve.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

346-33-SA—Goodspeed Oil Burner Nozzle Type II.

349-33-SA—Herco Oil Burner.

359-33-SA—Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1.

369-33-SA—S-K Oil Burner, Model "F".

1-34-SA—Hager Silent Check Valve.

16-34-SA—Warner Oil Burner, Model A.

23-34-SA—Webster Fuel Oil Pump, Type A.

32-34-SA—Super Oil Burner for Pressing Machine.

33-34-SA—Tridex Cleaning Machine.

34-34-SA—Standardyne Oil Burner.

36-34-SA—Utility Oil Burner, Model A.

38-34-SA—Real Host Oil Burner.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

69-34-SA—Max Ashpes Pot Type Oil Burner.

75-34-SA—Liberty Pressure Oil Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	18
Cases filed up to April 18, 1934.....	106	Dismissed	5
Restored to Calendar.....	27	Denied	45
		Granted	0
		Granted on condition.....	56
		Appliances approved	17
		Appliances dismissed, disapproved or withdrawn....	22
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	91	Requests to reopen granted.....	78
Requests to amend.....	29	Requests to reopen denied.....	6
Requests for modification.....	1	Requests to amend granted.....	29
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	17	Requests for modification granted.....	1
Requests for extension of permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	6	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	17
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total.....	499	Requests for extension of permit granted.....	9
Disposed of	317	Requests for extension of permit denied.....	0
Cases pending April 18, 1934.....	182	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	6
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	7
		Total.....	317

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN OF THE BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 18

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—
Docket.

Court Decisions.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, April 24, 1934, at 10 A. M.

Minutes of Regular Meeting, April 24, 1934, at 2 P. M.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, April 30, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, May 7, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to April 25, 1934.

Cal. No. Department Premises Affected.
112-34-A.....D.B.M....123 West 57th st. (Block 1010,
Lot 15), Manhattan.
Viol. Order 1454-34.

111-34-A.....F.D.....4302 5th ave., West Side of 5th
ave., from 43rd to 44th streets
(Block 729, Lot 38), Brook-
lyn. Order No. 296.

110-34-A.....D.B.B....168 Walworth st. (Block 175,
Lot 41), Brooklyn. 0464-LF.

109-34-BZ.....D.B.Q....64-40 and 64-42 Myrtle ave.,
72-02 and 72-16 Cypress Hills
st., Southwest Corner (Block
2915, Lot 7), Ridgewood,
Queens. Plan No. 1697-34.

108-34-SA.....F.D.....Wheco Oil Burner, Appliance.

107-34-BZ.....D.B.Q....248-61 Jamaica ave., 89-22 249th
st., Northwest Corner (Block
4369, Lot 45), Bellrose Manor,
Queens. Plan No. 212-34.

Restored to Calendar.

161-30-BZ.....D.B.Q....Southeast Corner of Astoria
avenue and 42nd street (Block
688, Lot 14), Long Island
City, Queens. N.B. 413-30.

644-20-BZ.....D.B.Bx...1528-1534 Southern boulevard,
Northeast Corner of East
172nd street (Block 2982, Lot
1), The Bronx. Alt. 77-34.

CODE

F.D.....Fire Department
H.D.....Health Department
D.B.B.....Department of Buildings, Brooklyn
D.B.M.....Department of Buildings, Manhattan
D.B.Q.....Department of Buildings, Queens
D.B.R.....Department of Buildings, Richmond
D.B.Bx.....Department of Buildings, Bronx
T.H.D.....Tenement House Department

RULES

	Last Publication in Bulletin
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime)	Jan. 9, 1934—Vol. 19 No. 2
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Factory Exit Rules	Nov. 14, 1933—Vol. 18 No. 46
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Fire Drill Rules	May 30, 1933—Vol. 18 No. 22
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Fireproof Wood, Testing of	Apr. 10, 1934—Vol. 19 No. 15
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Hatchway Protection	June 5, 1928—Vol. 13 No. 23
Paint, Varnish and Lacquer Spray- ing Rules	Apr. 17, 1934—Vol. 19 No. 16
Plumbing Rules	Mar. 27, 1934—Vol. 19 No. 13

Procedure, Rules of	June 20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O.	Feb. 13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules	Jan. 16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules	Sept. 26, 1933—Vol. 18 No. 39
Structural Alterations, Reporting	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves	Apr. 3, 1934—Vol. 19 No. 14
Fuel Oil Burners for Domestic and Commercial Use	May 1, 1934—Vol. 19 No. 18
Fuel Oil Burners for Industrial Use	Apr. 17, 1934—Vol. 19 No. 16
Fuel Oil Pumps	May 1, 1934—Vol. 19 No. 18
Paint, Varnish and Lacquer Spray- ing Equipment	Apr. 17, 1934—Vol. 19 No. 16

COURT DECISIONS

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

White v. Murdock—Mr. Justice Smith—Board sustained. May 16, 1933, Board denied modification of resolution to change in part occupancy of existing building to garage and repair shop, under section 21. Cal. No. 12-32-BZ; Premises 6513-6519 Fifth avenue, N. E. cor. 66th street, Brooklyn. (N.Y.L.J. Apl. 9, 1934)

128 32nd St. Brooklyn Corpn. v. Murdock et al—Mr. Justice Lockwood—Board sustained. Dec. 5, 1933, the Board denied application for gas station, partly in business and partly in residence district, under section 21. Cal. No. 241-33-BZ; Premises 875-881 4th avenue, N. E. cor. 33rd street, Brooklyn. (N.Y.L.J. Mch. 20, 1934)

CALL OF CLERK'S CALENDAR

MONDAY, APRIL 30, 1934, AT 2 P. M.

Building Zone Cases

7-34 BZ.

APPLICANT—Henry C. Brucker, for Salzi Homes, Inc., owner.

PREMISES—Southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

25-34-BZ.

APPLICANT—William Richter, for The Brooklyn Athletic Field, Inc., owner

PREMISES—1196 Ocean parkway (Block No. 5495, part of Lot No. 1000), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the extension of an existing business building.

56-34-BZ.

APPLICANT—Lama and Proskauer, for Joseph Cafiero, owner.

PREMISES—2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of No. 41), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a petroleum storage plant.

CALENDAR

84-34-BZ.

APPLICANT—Koch and Wagner, for Lincoln Savings Bank, owner.

PREMISES—7423-7427 Fifth avenue, northeast corner of Bay Ridge parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Brooklyn.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution.

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank).

993-26-BZ.

APPLICANT—Jacob A. Freedman, for Leo Schumer, owner.

PREMISES—5911-5921 22nd avenue, east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened March 27, 1934).

MAY 1, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 1, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 6-34-BZ—Application, January 17, 1934, under sections 7a, 7e and 21 of the building zone resolution, of Harry A. Yarish, applicant, on behalf of Allan A. Kurtz, owner, to permit in a business district the erection and maintenance of stables for more than five (5) horses; premises 507-511 Foster avenue, north side, 178'6 $\frac{3}{4}$ " west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.

CAL. NO. 37-34-BZ—Application, February 10, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Stiroco Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

CAL. NO. 49-34-BZ—Application, February 20, 1934, under section 7a of the building zone resolution, of H. I. Feldman, applicant, on behalf of David Nussdorf, owner, to permit in a residence district the alteration and extension of an existing building used in part for business use; premises 550-554 Bedford avenue northwest corner of Ross street (Block No. 2181, Lot No. 33), Brooklyn.

CAL. NO. 59-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution,

of Maxwell H. Lanes, applicant, on behalf of Estate of Charles A. Peabody, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores); premises 94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Brooklyn.

CAL. NO. 62-34-BZ—Application, March 6, 1934, under section 21 of the building zone resolution, of Henry C. Harrington, applicant, on behalf of Dagmar Matsen Clements, owner, to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

CAL. NO. 28-34-BZ—Application, January 31, 1934, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Nac Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.
HARRIS H. MURDOCK, *Chairman.*

MAY 1, 1934, 2 P. M.

Appeals from Administrative Orders.

60-34-A—Southeast corner of Locust avenue and East 134th street (Block No. 2583, Lot Nos. 365 and 369), The Bronx.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

71-34-A—12 East 57th street (Block No. 1292, Lot No. 63), Manhattan.

74-34-A—944-946 Halsey street and 881-893 Macon street (Block No. 1495, Lot Nos. 23, 25 and 55), Brooklyn.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

82-34-A—71-99 Livingston street (Block No. 266, Lot No. 12), Brooklyn.

Petitions for Variations.

61-34-S—91-95—Harrison place (Block No. 2998, Lot No. 45), Brooklyn.

72-34-S—501-509 Seventh avenue and 137-153 West 37th street, northeast corner (Block No. 813), Lot No. 1), Manhattan.

83-34-S—225-235 West 37th street and 230-238 West 38th street (Block No. 787, Lot Nos. 25 to 30 and 59 to 61 inclusive), Manhattan.

Appliances Submitted for Approval.

105-34-SA—Kelvinator Oil Burner, Model K.

108-34-SA—Wheco Oil Burner.

CALENDAR

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 1, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 11-34-BZ—Application, January 22, 1934, under section 21 of the building zone resolution, of Joseph Walsh, applicant, on behalf of Harry Koggan, owner, to permit in a business district the change of occupancy of an existing premises to junk shop; premises 273 Chester street, east side, 179 ft. 2¾ in. south of Blake avenue (Block No. 3560, Lot No. 12), Brooklyn.

CAL. NO. 396-30-BZ—Application, June 14, 1930; withdrawn September 30, 1930; reopened December 5, 1933, under section 21 of the building zone resolution, of Benjamin Baser, applicant, on behalf of Isidor Schraub and Celia Silverman, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises 65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 71), Woodside, Borough of Queens.

CAL. NO. 383-33-BZ—Application, December 27, 1933, under section 21 of the building zone resolution of Aaron G. Alexander, applicant, on behalf of Matin Realty, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos. 1, 8 and 11), The Bronx.

CAL. NO. 15-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of Julius Auserehl, applicant and owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 347-33-BZ—Application, November 17, 1933, under section 21 of the building zone resolution, of Aaron H. Schwartz, applicant, on behalf of Webames Realty Corporation, owner, to permit in a residence district the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling; premises 138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), The Bronx.

CAL. NO. 1236-27-BZ—Application, November 22, 1927;

granted on certain conditions May 29, 1928; extension of time granted November 27, 1928, and the time within which to obtain permits and complete work has expired; reopened January 9, 1934, under sections 21 and 7-f of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Dorothy Rehder, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

CAL. NO. 382-33-BZ—Application, December 26, 1933, under section 21 of the building zone resolution, of Andrew Yablonsky, applicant and owner, to permit in a business district the erection and maintenance of a motor vehicle repair shop; premises southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, MAY 7, 1934, AT 2 P. M.

Building Zone Cases.

1213-24-BZ.

APPLICANT—Chas. Schaefer, Jr., for T. & R. Construction Co., Inc., owner.

PREMISES—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously denied for a garage; reopened October 3, 1933).

78-34-BZ.

APPLICANT—Jos. D. Nunan, Jr., for Cross Bay Theatre, Inc., owner.

PREMISES—94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

81-34-BZ.

APPLICANT—Samuels & Samuels, for Girolomo Staropoli, owner.

PREMISES—196-08 Hillside avenue, south side, 50.42' east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

CALENDAR

MAY 8, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 8, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 327-33-BZ—Application, October 18, 1933, under section 21 of the building zone resolution, of Harold J. Crawford, applicant, on behalf of Nora Eberhardt, owner, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building; premises 21-17—30th avenue (Block No. 547, Lot No. 7), Astoria, Borough of Queens.

CAL. NO. 375-33-BZ.—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

CAL. NO. 35-34-BZ.—Application, February 9, 1934, under section 21 of the building zone resolution, of Samuel Roth, applicant, on behalf of Fannie Levy, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

CAL. NO. 68-34-BZ—Application, March 9, 1934, under section 21 of building zone resolution, of Irving Kirshenblit, applicant, on behalf of Sarah Feman, owner, to permit in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type); premises 384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Brooklyn.

CAL. NO. 73-34-BZ—Application, March 16, 1934, under section 21 of the building zone resolution, of Michael Levine, applicant, on behalf of Karron & Lieberman, Inc., owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station; premises 1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5" south of 20th avenue (Block No. 5464, Lot No. 15), Brooklyn.

CAL. NO. 492-27-BZ—Application of Levy and Berger, on behalf of Halward Realty Corp., owner, reopened April 17, 1934, for a modification of the resolution, to permit the erection of an additional structure, a one-story building to be occupied as an automobile showroom, this application previously granted under section 21 of the building zone resolution for the erection and maintenance of a gasoline service station located in a business district; premises 1134-1144 East New York avenue (Block No. 4600, Lot No. 7), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1934, 2 P. M.

Appeals from Administrative Orders.

85-34-A—1491 Broadway, southwest corner of West 43rd street (Block No. 1014, Lot No. 36), Manhattan.

89-34-A—214-222 West 26th street (Block No. 775, Lot No. 49), Manhattan.

93-34-A—682 Sixth avenue (Block No. 823, Lot No. 4), Manhattan.

Petitions for Variations.

87-34-S—599a-603 Fifth avenue (Block No. 1053, Lot Nos. 1 and 3), Brooklyn.

91-34-S—536-538 West 20th street (Block No. 691, Lot No. 1), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 8, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

CAL. NO. 42-34-BZ—Application, February 14, 1934, under section 21 of the building zone resolution, of Jack Jacobson, applicant, on

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behalf of Emdee Management, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Brooklyn.

CAL. NO. 44-34-BZ—Application, February 15, 1934, under section 21 of the building zone resolution, of Robert Schnepfer, applicant, on behalf of Annuncio Ambrosia, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 137-02 to 137-10 Linden boulevard, southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

CAL. NO. 50-34-BZ—Application, February 21, 1934, under sections 7a, 7c and 21 of the building zone resolution, of Adolph Goldberg, applicant, on behalf of North Shore Motor Sales Co., Inc., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry; premises 153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

CAL. NO. 607-31-BZ—Application, December 19, 1931; withdrawn April 26, 1932; reopened and restored to Calendar, February 6, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Ben S. Michaelson, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

CAL. NO. 353-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of Saul Goldsmith, applicant, on behalf of Ellen Martin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, MAY 14, 1934, AT 2 P. M.

Building Zone Cases.

100-34-BZ.

APPLICANT—Samuels & Samuels, for Kariene Burke, owner.

PREMISES—Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

101-34-BZ.

APPLICANT—Andrew A. Marjey, for P.M.H. Holding Corp., owner.

PREMISES—Northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

107-34-BZ.

APPLICANT—Samuels & Samuels, for John Bauer Realty Co., Inc., owner.

PREMISES—248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

459-32-BZ.

APPLICANT—Mildred I. Hefter, owner.

PREMISES—Southeast corner of Merrick road and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of gasoline service station and also, a motor vehicle repair shop (reopened April 10, 1934).

MAY 15, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 15, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 1304-25-BZ—Application of Samuel Fish, on behalf of Samuel Berman, owner, reopened March 20, 1934, under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the change of occupancy of an existing building to a motor vehicle repair shop and, also, garage for five (5) motor vehicles; premises 2447 Coney Island avenue, east side, 301'1" north of Avenue V (Block No. 7343, Lot No. 61), Brooklyn.

CAL. NO. 27-34-BZ—Application, February 1, 1934, under section 21 of the building zone resolution, of Edward P. Doyle, applicant, on behalf of Henrietta Meinikheim, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 72-02

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to 72-10 57th avenue and 57-05 to 57-15 Mazeau street, southwest corner (Block No. 2808, Lot No. 79), Maspeth, Borough of Queens.

CAL. NO. 65-34-BZ—Application, March 8, 1934, under section 21 of the building zone resolution, of Burke & Olsen, applicants, on behalf of Domenick Schirripa, owner, to permit in a business district the erection and maintenance of a refrigerating plant; premises 5901-5911 13th

avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Brooklyn.

CAL. NO. 66-34-BZ—Application, March 8, 1934, under section 21 of the building zone resolution, of David L. Woodall, Jr., applicant, and owner, to permit in a residence district the erection and maintenance of a business building (stores); premises Southwest corner of Weeks avenue and East 175th street (Block No. 2796, Lot No. 31), The Bronx.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, APRIL 24, 1934.

Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Deputy Chief Ross.

The minutes of the special meeting of the board held Friday afternoon, April 13, 1934; the minutes of the regular meeting of the board held Tuesday morning, April 17, 1934, and the minutes of the regular meeting of the board held Tuesday afternoon, April 17, 1934, were approved as printed in Bulletin No. 17, Vol. XIX.

BUILDING ZONE CASES.

42-34-BZ.

APPLICANT—Jack Jacobson, for Emdee Management, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Sher, Jack Jacobson.

For Opposition: Joseph A. Shields, Thomas Du Britz, Joseph M. Campbell.

ACTION OF BOARD—Laid over to May 8, 1934, at 2 p. m., for report of committee on inspection. No further argument.

44-34-BZ.

APPLICANT—Robert A. Schnepfer, for Annuncio Ambrosia, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—137-02 to 137-10 Linden boulevard (114th avenue), southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Stephen K. Rapp, Annuncio Ambrosia, Martin Cargill, Mrs. Florence Rennee, Irwin Strauss.

For Opposition: Abraham Rapaport.

ACTION OF BOARD—Laid over to May 8, 1934, at 2 p. m., for report of committee on inspection. No further argument.

50-34-BZ.

APPLICANT—Adolph Goldberg, for North Shore Motor Sales Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry.

PREMISES AFFECTED—153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Adolph Goldberg, Harold B. Cotton.

For Opposition: Edward S. Malone, George Berger.

ACTION OF BOARD—Laid over to May 8, 1934, at 2 p. m., for report of committee on inspection. No further argument.

607-31-BZ.

APPLICANT—Archie H. Samuels, for Ben S. Michaelson, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar February 6, 1934).

PREMISES AFFECTED—Northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Maurice De Young, Jr., Albert Pardee, E. A. McLarney, James T. Connolly.

ACTION OF BOARD—Laid over to May 8, 1934 at 2 p. m., for report of committee on inspection. No further argument.

9-34-BZ.

APPLICANT—Robert Gottlieb, for Alna Holding Corp., owner.

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SUBJECT—Application (re decision of the commissioner of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing storage warehouse to a factory.

PREMISES AFFECTED—4756 Third avenue, northeast corner of East 189th street (Block No. 3033, Lot No. 53), Borough of The Bronx.

APPEARANCES—
For Applicant: Robert Gottlieb.
For Opposition: A. Eisenstadt.

ACTION OF BOARD—Application withdrawn, applicant to confer with department of buildings.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Deputy Chief Ross 5
Negative 0
Absent 0

161-30-BZ.
APPLICANT—Elsie E. Parsons, owner.

SUBJECT—Application for reopening—restoration to calendar, previously withdrawn—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Astoria avenue and 42nd street (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Alfred J. Parsons.

ACTION OF BOARD—Application reopened and restored to calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners, Peppe, Savage and Blum and Deputy Chief Ross 5
Negative 0
Absent 0

Adjourned, 1:15 p. m.
EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING
TUESDAY AFTERNOON, APRIL 24, 1934.
Present: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

353-33-BZ.
APPLICANT—Saul Goldsmith, for Ellen Martin, owner.
SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—407-17 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Borough of Brooklyn.

APPEARANCES—
For Applicant: John J. Kirby, Saul Goldsmith, James H. Gilbarry.
For Opposition: Jesse Luxemberg, Ralph Savarise, David Oberstein, Ray Morner, Mary Accone, Elizabeth Dressler, Anna Blakeman, and others.

ACTION OF BOARD—Laid over to May 8, 1934, at 2 p. m., for report of committee on inspection. No further argument.

177-32-BZ.
APPLICANT—James E. Geissberger, for Trebhus Realty Co., owner.
SUBJECT—Request for reopening—reconsideration under facts—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—166 West End avenue, northeast corner of West 67th street (Block No. 1159, Lot No. 1), Borough of Manhattan.

APPEARANCES—
For Applicant: James E. Geissberger.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—
Affirmative 0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Absent 0

644-20-BZ.
APPLICANT—Request for reopening made by Anton Pirner for H. P. C. Corporation, present owner.
SUBJECT—Application for reopening and amendment to the resolution of the board adopted November 16, 1920, granting a variance in a business use district permitting the erection of a garage for more than five (5) motor vehicles, so as to include in said resolution an alcove gasoline service station.

PREMISES AFFECTED—1528-1534 Southern boulevard, northeast of East 172nd street (Block No. 2982, Lot No. 1), Borough of The Bronx.

APPEARANCES—
For Applicant: Anton Pirner.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

705-29-BZ.
APPLICANT—Suburban Brokerage Corporation, owner.
SUBJECT—Request for reopening or acceptance as new application—reconsideration under new facts—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building.

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PREMISES AFFECTED—Northwest corner of East 175th street and Marmion avenue (Block No. 2953, Lot No. 48), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Request to reopen or accept as new application, denied.

THE VOTE TO REOPEN OR ACCEPT AS NEW CASE—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

546-32-BZ.

APPLICANT—Archie H. Samuels, for 88th Holding Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously denied under section 21; reopened January 9, 1934).

PREMISES AFFECTED—Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Norman Siegal, Rosaro Maggio, F. Fricke, Pietro B. Nicatri, William Hoetzel, E. Rosenblum and Vito Nacina.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(546-32-BZ)

WHEREAS, Milton M. Samuels, for 88th Holding Co., Inc., owner, filed, October 31, 1932, an application under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Northeast corner of Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), Borough of The Bronx; and

WHEREAS, this application was denied by the board February 3, 1933, and reopened under the provisions of section 7, subdivision f, on application by Archie H. Samuels, January 9, 1934; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 24, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Williamsbridge road is in a business district, Yates avenue is in a residence district and Lydig avenue is in a residence and business district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 27, 1934, re Applic. N. B. 506-1932, reads:

"1. Erection of building and maintenance of premises for gasoline station in business district is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 86.09 ft. on Lydig avenue and approximately 89 ft. on Williamsbridge road—upon which it is proposed to erect an office 16 ft. by 24 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 546-32-BZ.

Premises: Northeast corner Williamsbridge road and Lydig avenue (Block No. 4310, Lot No. 30), Borough of The Bronx.

This appeal was originally filed under section 21 for a variance of the zoning resolution for a gasoline service station. After a public hearing and an inspection by a committee of the board, the appeal was denied as no hardship was considered as proven to justify the variance. In review by the court, the board was sustained. The case was reopened to permit a rehearing under another section of the zoning resolution, namely, section 7-F, under which the board may grant a temporary permit for a period of two years in an undeveloped area. Accordingly, the question is whether the area is undeveloped within the meaning and intent of this section 7-F. If it is so found, the board can then in its discretion, grant or deny the two-year permit.

The plot is the northeasterly corner of Williamsbridge road and Lydig avenue, of irregular shape, with a frontage of 62 ft. on Williamsbridge road and 86 ft. on Lydig avenue, and is part of Block 4310, the northerly side of which is on Pelham Parkway South which is a wide and beautiful parkway. Williamsbridge road is 100 ft. in width but has not yet been widened to that width past this block, part of which is to be taken for this widening. Being an old thoroughfare, it still retains the appearance of a cross country road through a section formerly entirely undeveloped. The proposed widening and resurfacing will transform it. It now has a narrow macadam roadbed and curbs and sidewalks are lacking. For 100 ft. on either side of Williamsbridge road the property is zoned for business use and back of that to the east and west the area is zoned for residence use. The plot in question is in the business area while the adjoining property in the same block to the east is in the residence area.

The property along Williamsbridge road for the two blocks south from Pelham Park South is now vacant except for a garage in existence for many years 125 ft. south of Lydig avenue and the remains of a one-story taxpayer store building at the northwest corner of Williamsbridge road and Lydig avenue. This corner is opposite the premises under appeal and was the subject of an appeal in Cal. No. 105-33-BZ, under which it was proposed to remove part of the store building and reconstruct the balance and use the plot for a gasoline service station. This was denied as at that time the building was partly occupied and in usable condition. On a writ of certiorari, the decision of the board was reversed by Mr. Justice Cotillo, but the Appellate Division sustained the board and reversed the Special Term.

Under Cal. No. 550-27-BZ, the board denied a gasoline station on a site 25 ft. south of the corner of Lydig avenue so that the three corners of Lydig avenue and Williamsbridge road have been before the board for gasoline stations and all three were denied under section 21.

The residential areas to the east and west of this business use district present an entirely different condition of the frontage along Williamsbridge road. To the west is an area along Lydig avenue and Tomilson avenue that is well built up with private houses. No photograph is filed with the appeal showing this, but inspection disclosed this condition. The plans filed fail to show this condition and show as a vacant lot the northeast corner of Lydig avenue and Tomilson avenue which in fact is and has been for many years

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developed with a private house beautified by a lawn and planting and which together with the surrounding homes present a settled and developed appearance as to that part of the area.

To the east there has been an intensive development of attractive private homes. Some of these are disclosed by a photograph which, however, while filed in February, 1934, was apparently taken on October 2, 1932, and fails to show a house erected within the past year at the corner of Lydig avenue and Yates avenue. An inspection of the area disclosed the extent of this new development.

All these streets are graded and the usual utilities are available. It is true that there is considerable vacant property but the section as a whole cannot be considered as undeveloped within the meaning of section 7, subdivision F. The unofficial notation by George B. Ford who served as engineer for the commission which framed the zoning resolution gives as the intent of this section the following:

"This would allow a man in an outlying part of the city in the midst of what is shown on the map as a future residence section to locate a cement block making plant or a public garage, provided that he would remove his plant at the end of two years if the Board of Appeals thought it was becoming a nuisance. If there seemed to be any doubt about being able to force the owner to remove the building later the Board of Appeals could demand that he give a bond."

In 1916 when the zoning resolution was adopted, there were many square miles of the outlying section of the city where section 7-F would have had application. In this very section farming along Williams-bridge road was the rule and now it is very much the exception. Pelham parkway constructed at great expense has transformed this area to a section for private homes and that development has taken place. Temporarily it may be arrested because of conditions but undoubtedly it will be resumed and the particular block in which this gasoline station is desired is among the most available especially along Lydig and Yates avenues.

The existing garage and the Dempsey store are the only two eyesores that furnish blots on the otherwise attractive appearance of this section. A gasoline station as proposed even for a temporary time would serve to retard development and tend to cause deterioration of the section. The present use of the lot under appeal and adjoining lots as a ball field cannot be considered as objectionable.

The committee which inspected the area on April 12, 1934, cannot find that the area can be considered undeveloped and further finds that it would not be in the public interest to grant this temporary variance particularly as it has been found that once a gasoline station has been established, even under a temporary permit, it is difficult to obtain removal without resort to court proceedings.

The committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied and the board deemed that applicant failed to substantiate the basis of his application under section 7, subdivision F, of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

8-34-BZ.

APPLICANT—Kennedy & Ellner, for Wardell Holding Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Clarence Leventhal.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum..... 4

Negative: Assistant Chief Kidney..... 1

Absent 0

THE RESOLUTION—

(8-34-BZ)

WHEREAS, Kennedy and Ellner, for Wardell Holding Corporation, owner, filed, January 18, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Northeast corner of Jamaica avenue and 187th place (Block No. 975, Part of Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 24, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business and unrestricted district, 187th place is in a residence district, 188th street is in a residence district and 91st avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 11, 1934, re Plan No. 39-1934, reads:

"1. The erection of a gasoline selling station in a business district is contrary to article 2, section 4 of the zone law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Jamaica avenue and 100 ft. on 187th place—upon which it is proposed to erect a one-story structure 28 ft. by 20 ft. in area, to be used as office and auto laundry; grease pits and also proposes to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and

WHEREAS, this report recommends the granting of the application for a period of five years under section 21.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted for a period of 5 years under section 21, permitting the site under appeal to be used for a gasoline service station *on condition* that the plot shall be made substantially level to the grade of Jamaica avenue; that there shall be erected on the interior lot lines a brick wall, faced with face brick and not less than 8 ft. in height; that the accessory buildings shall consist of an office, auto laundry and section to house greasing racks, located toward the rear of the plot, generally as indicated on plans filed with this application; that these buildings shall not exceed one story in height and shall be constructed of face brick and incombustible materials, except that the roof beams, roof boarding, windows and doors may be of wood *on condition* that the ceilings throughout are fire-retarded in accordance with the rules

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of the Board of Standards and Appeals and the ceilings and roofs surfaced with incombustible shingles or surfacing; that the balance of the plot, where not occupied by accessory buildings shall be cement paved or covered with cracked blue stone; that gasoline pumps shall be not nearer than 10 ft. to either street line or nearer than 10 ft. to any part of an accessory building; that there shall be not more than four (4) 550-gallon tanks installed on the premises; that there shall be no open excavation under any of the accessory buildings, except the pits for the greasing racks; that the front of the greasing rack section shall remain open; that there shall be constructed on the street building lines a concrete curb not less than 12 in. in width and 12 in. in height, with not over two openings to Jamaica avenue and one opening to 187th place, these openings not to exceed 25 ft. in width, with curb cuts opposite not over 30 ft. in width; that no part of any opening shall be nearer than 5 ft. to the easterly interior lot line or 10 ft. from the corner formed by the intersection of Jamaica avenue and 187th place or 30 ft. from the northerly interior lot line; that there shall be no portable gasoline pumps used on or from the property; that no automobile repairing shall be carried on nor the storage or parking of cars other than those being serviced; that signs advertising non-conforming use shall be confined to the illuminated globes of the gasoline pumps; that lights for general illumination shall be on standards not over 10 ft. in height with metal reflectors arranged to reflect downwardly; that the balance of the block front, in the same ownership, on which the premises under appeal is a part, shall be kept cleared of all rubbish and in presentable condition at all times, with no billboard or other signs of a similar nature on the property; that complete working drawings shall be filed with this board for approval by the chairman in behalf of the board, before submission to the department of buildings; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

373-33-BZ.

APPLICANT—Henry J. Nurick for Michael Salit, owner.
SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—176-192 Kings highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney Kitzler.

For Opposition: C. G. Murphy.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(373-33-BZ)

WHEREAS, Henry J. Nurick, for Michael Salit, owner, filed, December 11, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 176-192 Kings highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 24, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kings highway is in a business district, Quentin road is in a business and residence district and West 12th street is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 4, 1933, re Applic. No. 13419-1933, reads:

"1. Proposed gasoline service station is a violation of article 2, section 4a (4b), which prohibits gasoline service station in business districts.

"Above application is therefore denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 147 ft. 5 in. on Quentin road, 156 ft. 2 in. on Kings highway and 61 ft. 4 in. on West 12th street—upon which it is proposed to erect a one-story structure 61 ft. by 40 ft. in area, to be used as office and auto laundry and also, to install the necessary tanks and pumps for a gasoline service station. Proposes to demolish the one-story structure now on the plot and used for stores; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 373-33-BZ.

Premises: 176-192 Kings highway, southwest corner of West 11th street (Block No. 6620, Lot Nos. 46, 48, 49, 50, 51 and 52), Borough of Brooklyn.

This is a new case under a different state of facts accepted as such but in reality a review of a prior case involving the same plot under Cal. No. 1014-27-BZ, under which a gasoline station was desired for only a portion of the plot. Now the owner desires to use the entire plot.

The premises consist of a triangular shaped island block bounded by Kings highway, Quentin road and West 12th street, and there has existed for some years thereon a one-story business building consisting of small stores facing Quentin road, with rear doors to the more important Kings highway. The building is now untenanted except for a temporary tenant in the automobile supply business in the store to the east. The building is in poor structural condition fast going to ruin and furnishing a blot on the section. No effort appears to have been recently made to keep it in repair and rentable condition.

The plot is zoned for business use as are the adjoining frontages along Kings highway and Quentin road.

There are several store vacancies nearby but stores generally appear to enjoy prosperous business. While there is some vacant frontage nearby, the section as a whole is well built up and it would appear that this building could have continued in use for business purposes of a conforming nature if the building had been kept presentable and in repair, particularly if store windows and entrances had been constructed on Kings highway. It has been admitted that in 1931 without these changes the property practically carried itself.

No additional gasoline stations are needed in this area, as there are several to the west, one in the next block, and others in existence or permitted at Stillwell avenue.

In the opinion of the committee, while realizing the financial hardship that the owner has experienced, the building was of improper construction and arrangement which together with the failure to make essential repairs have been the main factors in the lack of success in obtaining responsible tenants. The building has been allowed to deteriorate unduly and is now worth nothing even for the purpose intended. No

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hardship can, however, be shown because of the condition of the building itself. Whatever there might be has been caused by the owner himself in his failure to repair and remodel. The matter should be viewed as vacant property and consideration given as to whether a gasoline station should be permitted at this point. As already pointed out there can be no real need for more. A station here will not, in the opinion of the committee enhance the neighborhood but would on the contrary tend to deteriorate it and destroy adjacent property values.

While it might be argued that a gasoline station would be preferable to what is there now, the committee is of the opinion that what is there now should not be permitted to remain as a menace to the health and safety of the neighborhood and that the surrounding property owners are entitled to have this condition corrected and further that they have a right to expect that this property will not be put to a non-conforming use particularly as the block opposite, now vacant, would reasonably expect that upon application gasoline station variance would be granted them if a permit were granted here.

The committee inspected the property both before the hearing and since on April 5, 1934, and recommend denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

302-33-BZ.

APPLICANT—Frank Giorgio, Jr., for Antonio and Rose Monteleone, owners.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Frank Giorgio, Jr.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Absent	0

THE RESOLUTION—

(302-33-BZ)

WHEREAS, Frank Giorgio, Jr., for Antonio Monteleone and Rose Monteleone, owners, filed, September 18, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Northeast corner of Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 24, 1934, after due notice by publication in

the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business district, 114th street is in a business district, 76th avenue is in a residence, business and unrestricted district, 76th road is in a residence, business and unrestricted district and 77th avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 11, 1933, re: Plan No. 1747-1933, reads:

"The erection of a gasoline service station in a business district is contrary to section 4 of the zone law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. on Queens boulevard and 100 ft. on 76th road, upon which it is proposed to erect a one-story office 20 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station and,

WHEREAS, this application was the subject of an inspection by a Committee of the Board which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

302-33-BZ.

Premises—N. E. corner Queens boulevard and 76th road (Block No. 2266, Lot No. 88), Forest Hills, Borough of Queens.

The premises under appeal are at the Northeast corner of Queens boulevard and 76th road, Forest Hills, Borough of Queens, and comprise a plot with a frontage of 60 ft. on the boulevard and 100 ft. on 76th road and are located in an area zoned for business. At present the site is vacant and a permit for a gasoline service station either permanent or temporary is desired.

The area was inspected by a Committee of the Board on April 12, 1934. Queens boulevard has been constructed at large expense as an important highway from Long Island City to Jamaica and through it is a subway with a station about 350 ft. from this site. East of the site is a substantial development of homes which have been erected in spite of the improper zoning as areas for business and unrestricted use.

The connection between Grand Central parkway to Astoria avenue and Triborough Bridge is now being constructed two blocks to the east and 113th place is to be incorporated as part of the parked thoroughfare so that the residential development adjacent to the premises under appeal will be made still further desirable by this parkway as well as by the proposed park still further east in the meadow land. At present all access to the residential area is through 76th road to Queens boulevard and accordingly this intersection is important from a safety and traffic point of view to these residents. The hazard is increased by the grade of 76th road which is upward toward the boulevard. To place a gasoline station at this corner would add to these hazards, especially as the frontage on Queens boulevard is only 60 ft. and the plan proposed is for a corner arrangement requiring the use of 76th road for entrance and exit. The grade of this plot is now such that to bring the plot to the level of Queens boulevard would be very costly. There is considerable vacant frontage along Queens boulevard all in the same position as the applicant as to the stress of carrying charges. Undoubtedly this frontage was acquired not for present use for which the market is apparently not yet ripe, but for the future speculative value when building resumes. In the opinion of the Committee, no temporary or permanent nonconforming use of this frontage should be granted that will predetermine the character of this important thoroughfare at this particular section where such development as has occurred

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is of substantial nature. Certainly the residential area to the east would be seriously affected by giving over this corner to the use proposed and the property values would suffer. This owner's condition is no different than others in a similar position. None can show practical difficulties and unnecessary hardship. None has been shown in this case. In the opinion of the Committee, a conforming business building could right now be profitably operated in view of the potential trading area immediately to the east all the residents of which must pass this corner.

The Committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
VINCENT C. PEPPE,
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and
WHEREAS, this report recommends that the application be denied; and the board deems that applicant has failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the Commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

47-28-BZ.

APPLICANT—Charles E. Murphy, for The Texas Company, present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast intersection of Bailey avenue and Bailey place (Block No. 3262, Lot No. 1), Borough of The Bronx.

APPEARANCES—
For Applicant: Charles E. Murphy.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney	5
Negative	0
Absent	0

THE RESOLUTION—

(47-28-BZ)

WHEREAS, this application affecting premises northeast intersection of Bailey avenue and Bailey place (Block No. 3262, Lot No. 1), Borough of The Bronx, was granted by the board April 14, 1931, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution of the board, adopted April 14, 1931, be and it hereby is *amended*, only so far as it refers to the concrete curbing and driveways, so that as amended this portion of the resolution will read:

"That a concrete curbing not less than 12 in. in height and 12 in. in width shall be installed along the Bailey avenue building line from the northerly lot line to the semi-circular platform referred to, in the resolution of April 14, 1931, with not over three openings therein, the one toward the north to be not over 15 ft. in width and not nearer than 3 ft. from the northerly interior lot line, the other openings to be

not over 35 ft. in width, no part of any opening to be nearer than 5 ft. to any other; that opposite these openings in the street line curb there may be curb cuts, the northerly curb cut not to exceed 15 ft. in width and the other curb cuts not to exceed 30 ft. in width; that other than as amended herein the resolution adopted by the board April 14, 1931, shall be complied with in all respects; on further condition that there shall be no gasoline or air pump located on or within 3 ft. of the concrete platform at the intersection of Bailey place and Bailey avenue."

595-30-BZ.

APPLICANT—Diamond Evangelista, owner; request for reopening made by Evers & Evers, for owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas J. Evers.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum.....	4
Negative: Assistant Chief Kidney.....	1
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum.....	4
Negative: Assistant Chief Kidney.....	1
Absent	0

THE RESOLUTION—

(595-30-BZ)

WHEREAS, this application affecting premises 2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Borough of Brooklyn, was granted by the board November 8, 1933, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on November 8, 1933, be and it hereby is *amended*, only so far as it effects the term of the variance, so that as amended, the resolution will read:

"*Granted* for a period of five (5) years under section 21, from November 8, 1933, and that the resolution, other than as amended herein, shall comply in all other respects."

535-32-BZ.

APPLICANT—William Shary, for W. Parsons Todd, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Boston road and Astor avenue (Block No. 4346, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick Ryan, William Shary.

ACTION OF BOARD—Application reopened and time extended.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(535-32-BZ)

WHEREAS, this application affecting premises northeast corner of Boston road and Astor avenue (Block No. 4346, Lot No. 5), Borough of The Bronx, was granted by the board June 9, 1933, on certain conditions, and time extended December 12, 1933, and applicant requests a further extension of the time limit imposed.

Resolved, that the resolution of the board adopted on June 9, 1933, be and it hereby is *amended*, only so far as it refers to the completion of work, so that as amended the last clause of the resolution will read:

"In view of statement made by applicant that all permits have been obtained, all work shall be completed within three months from the date of this action; and that other than as amended herein, the resolution adopted by the board on June 9, 1933, shall be complied with in all respects."

119-32-BZ.

APPLICANT—Burton H. Michael, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of a building to a motor vehicle repair shop.

PREMISES AFFECTED—3461 Fort Hamilton parkway, south side, 200 ft. west of Chester avenue (Block No. 5302, Lot No. 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Burton H. Michael.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(119-32-BZ)

WHEREAS, this application affecting premises 3461 Fort Hamilton parkway, south side, 200 ft. west of Chester avenue (Block No. 5302, Lot No. 40), Borough of Brooklyn, was granted by the board May 17, 1932, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on May 17, 1932, be and it hereby is *amended*, only so far as it affects the rear and gable walls being unpierced throughout their entire height and length, so that as amended, this portion of the resolution will read:

"On condition that the walls in the said lot line shall be unpierced throughout their entire height and length

and that the wall in the rear shall be at least 1 ft. from the line dividing the area zoned for business from the area zoned for residence and that the openings in this wall shall not exceed one door not over three feet in width and two windows not over 3 ft. in width, each, provided this door and these windows are fireproof and on condition that the resolution of May 17, 1932, other than as amended herein shall be complied with in all respects; and that all permits shall be obtained and work completed within six months from the date of this action."

APPEALS FROM ADMINISTRATIVE ORDERS.

60-34-A.

APPELLANT—Ernest M. Van Norden, for The United Electric Light and Power Co., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Southeast corner of Locust avenue and East 134th street (Block No. 2583, Lot Nos. 365 and 369), Borough of The Bronx.

APPEARANCES—

For Appellant: Ernest M. Van Norden.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to May 1, 1934, at 2 p. m.

64-34-A.

APPELLANT—Crocker Fire Prevention Corp., for Morris White Properties, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner and a decision of the commissioner of buildings.

PREMISES AFFECTED—121-131 West 19th street (Block No. 795, Lot No. 27), Borough of Manhattan.

For Appellant: Sidney L. Strauss.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(64-34-A)

WHEREAS, Crocker Fire Prevention Corp., for Morris White Properties, Inc., owner, filed March 8, 1934, an appeal from an order of the fire commissioner and a decision of the commissioner of buildings, affecting premises 121-131 West 19th street (Block No. 795, Lot No. 27), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated April 6, 1933, re: Order No. 2831-F, reads:

"1. Repair or replace the missing and defective shutters with proper iron shutters or approved fireproof windows at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings which are not more than 50 ft. above a neighboring roof at rear of building or other approved protection, as per section 375, article 18, chapter 5, Code of Ordinances;" and

WHEREAS, the decision of the commissioner of buildings, dated March 3, 1934, reads:

"In reference to your request to rescind item 1 of Order No. 2831-F pending against the above premises and requiring the following:

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"Repair or replace the missing and defective shutters with proper iron shutters or approved fireproof windows at all openings in the exterior wall above first story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at rear of building, or other approved protection, as per section 375, article 18, chapter 5, Code of Ordinances."

"You are advised as these premises exceeds forty feet in height and is occupied as a tenant factory, your request must be denied;"

and

WHEREAS, the building is fireproof, 10 stories in height, 122 ft. 10 in. by 92 ft. in area; OCCUPIED as a tenant factory, 50 to 100 persons per story; and

WHEREAS, the appellant has filed plans indicating 63 window openings in the north wall affected by the order, and the buildings causing the exposure located 3 ft. to 10 ft. distant; and

WHEREAS, the appellant claims the building under appeal is equipped with an approved standpipe system and sprinkler system covering the entire premises, there is a sprinkler head within 2 ft. 6 in. to 4 ft. 7 in. from the center of every window opening affected by the order, a great many of these windows are now provided with kalamein sliding shutters; that all the windows in the building causing the exposure are fireproof and self-closing; however, the appellant proposes to provide fireproof windows for all openings from the stair hall at the northwest corner of the building.

Resolved, that the order of the fire commissioner and the decision of the commissioner of buildings be and they hereby are *modified*, and that the appeal be and it hereby is *granted* as to order No. 2831-F *on condition* that all windows covered by this order on the westerly wall shall be protected with fireproof shutters on all stories above the street level up to and including the second story above the roof of the building at 120 West 20th street and 122 West 20th street and four stories above the building at 124-128 West 20th street; that the sprinkler system shall be maintained in satisfactory working condition at all times; that there shall be a sprinkler head opposite each window in this west wall for its entire height, not farther removed than 4 ft. 7 in. from the center thereof; and that all windows in the stairway at the northwest corner shall be made fireproof, self-closing.

67-34-A.

APPELLANT—Ansonia Fire Prevention Eng. Co., for Ida M. Powell, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—105-109 Hudson street and 168-174 Franklin street (Block No. 187, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(67-34-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., for Ida M. Powell, owner, filed March 9, 1934, an appeal from an order and a decision of the Commissioner of Buildings, affecting premises 105-109 Hudson street and 168-174

Franklin street (Block No. 187, Lot No. 30), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated January 31, 1934, re: Order No. 8862-F, reads:

"1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Sections 580-1, chapter 5, Code of Ordinances and Rule 91 of the Board of Standards and Appeals;"

and

WHEREAS, the decision of the commissioner of buildings, dated March 7, 1934, reads:

"In reference to your request to rescind item No. 1 of Order 8862-F pending against the above premises and requiring the following:

"Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 feet above the hose outlet in the highest story."

"You are advised that the building exceeds 85 feet in height and as the present tank is less than 20 feet above the top story hose outlet, your request must be denied";

and

WHEREAS, the building is fireproof, 11 stories (140 ft.) in height, 75 ft. 3 in. by 100 ft. 2 in. in area; OCCUPIED: 1st story, stores; upper stories, offices, about 40 persons per story; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected in 1890, equipped with a standpipe system, fed from a 4,500 gallon house supply tank, 3,500 gallons reserved for standpipe lines, the bottom of which is 14 ft. 7 in. above the hose outlet of top story; the existing tank is constructed of steel and set in a pent house on the roof; it would be a great hardship to erect a new structure and provide a new tank for the slight deficiency in elevation; furthermore, the appellant contends the existing standpipe system is adequate and complies in all respects with the requirements of the Rules except as to elevation of tank.

Resolved, that the order and the decision of the commissioner of buildings be and they hereby are *modified*, and that the appeal be and it hereby is *granted* as to Order No. 8862-F permitting the standpipe gravity tank to remain at its present height *on condition* that it shall be not less than 14 ft. 7 in. above the highest hose outlet on the top story; that the standpipe fireline system shall comply in all respects with Rule 91 of the Standpipe Fire-line Rules other than as modified herein; and that the hose nozzles in the top story shall be reduced to 1/2 inch diameter.

111-34-A.

APPELLANT—Solomon M. Strausberg, for Parkshire Ridge Amusement Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—4302 Fifth avenue, west side, from 43rd to 44th streets (Block No. 729, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Appellant: Solomon M. Strausberg.

For Administration: Captain Foster of fire department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant

Chief Kidney 5

Negative 0

Absent 0

THE RESOLUTION—

(111-34-A)

WHEREAS, Solomon M. Strausberg, for Parkshire Ridge Amusement Corp., lessee, filed April 23, 1934, an appeal

MINUTES

from an order of the fire commissioner affecting premises 4302 Fifth avenue, W. S. from 43rd to 44th streets (Block No. 729, Lot No. 38), Borough of Brooklyn, and

WHEREAS, the order of the fire commissioner, dated March 26, 1934, reads: Order No. 296—

“7. Provide regulation asbestos fire curtain found removed at inspection on 23rd inst.”

WHEREAS, the building erected in 1915 (approximately), is fireproof, one story and balcony in height, 200 ft. by 100 ft. in area; equipped with a sprinkler and standpipe system, OCCUPIED as a motion picture theatre—seating capacity of 1,200 persons; and

WHEREAS, appellant contends that the building was originally occupied as a vaudeville theatre; that the present lessee took over the building about six years ago and have been operating it as a motion picture theatre; that prior to that time the asbestos fire curtain was removed from the theatre; that the motion picture theatre has been operating (without the curtain) for the last six years; appellant contends that the building is being operated solely as a motion picture theatre and requests permission to continue operations as a motion picture theatre.

Resolved, that the order of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Order No. 296, permitting the omission of the asbestos fire curtain *on condition* that the building shall otherwise comply with all laws applicable thereto and that all other items in this order shall be promptly complied with; that there shall be no scenery or other combustible material stored on the stage or in the dressing rooms except that lockers for the use of ushers' clothing may be maintained in one dressing room and except that one dressing room may also be occupied as a manager's office; that no exhibition or performance shall be permitted except the display of motion pictures; that no machinery shall be on the stage except machinery used in connection with the sound reproducing machine and air conditioning; and that such auxiliary fire-fighting apparatus shall be maintained as shall be directed by the commissioner.

286-33-A.

APPELLANT—Sidney L. Strauss, for Long Island College Hospital, owner.

SUBJECT—Application for reopening—amendment—re Appeal from orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—328-346 Henry street (Block No. 290, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Appellant: Sidney L. Strauss.

For Administration: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative 5

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney

Negative 5

Absent 0

THE RESOLUTION—

(286-33-A)

WHEREAS, this appeal affecting premises 328-346 Henry street (Block No. 290, Lot No. 14), Borough of Brooklyn, was granted by the board November 21, 1933, on certain conditions, and appellant requests an amendment of the resolution.

Resolved, that the resolution of the board, adopted November 21, 1933, be and it hereby is *amended*, by deleting the words—

“that there shall be an approved high and low alarm installed in this tank, with indicator in boiler room” and substituting—

“there shall be installed in the tank a float electrically connected to a gong in the boiler room to indicate by the ringing of the gong both when the tank is filled and also when the water has reached a predetermined low level.”

PETITION FOR VARIATION.

61-34-S.

PETITIONER—General Neon Tube Corp., lessee.

SUBJECT—Petition for variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—91-95 Harrison place (Block No. 2998, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Petitioner: Irving Kloner.

For Administration: None.

ACTION OF BOARD—Laid over to May 1, 1934, at 2 p. m., for petitioner to file with the board a copy of the certificate of occupancy.

APPLIANCES SUBMITTED FOR APPROVAL.

77-34-SA.

PETITIONER—Packard Oil Burner Sales Corp., for The Packard Burner Mfg. Corp., owner.

SUBJECT—Packard Fuel Oil Burner, approval of.

APPEARANCES—

For Petitioner: Arthur Zappa.

ACTION OF BOARD—Petition placed on reserve calendar and referred to engineer of board and bureau of combustibles, fire department, for test and report.

86-34-SA.

PETITIONER—H. M. Ficken, for Sterling Materials Co., Ltd., owner.

SUBJECT—Challenger Oil Burner, Model “A”, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar and referred to engineer of board and bureau of combustibles, fire department, for test and report.

92-34-SA.

PETITIONER—The Autocall Company, owner.

SUBJECT—Autocall Interior Fire Alarm Signal Systems, approval of.

APPEARANCES—

For Petitioner: H. R. Kirkland.

ACTION OF BOARD—Petition placed on reserve calendar and referred to engineer of board and division of fire prevention, department of buildings, for test and report.

102-34-SA.

PETITIONER—Louis S. Bloom, for Bock Oil Burner Corporation, owner.

SUBJECT—Bock Oil Burning Water Heater, approval of.

APPEARANCES—

For Petitioner: Louis S. Bloom.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of board and bureau of combustibles, fire department, for test and report.

MINUTES

34-34-SA.

PETITIONER—Standard Products Co., owner.
SUBJECT—Standardyne Oil Burner, approval of.
APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Peppe, Savage and Blum and Assistant Chief Kidney 5
Negative 0
Absent 0

THE RESOLUTION—

(34-34-SA)

WHEREAS, Standard Products Co., owner, filed, February 9, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Standardyne Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The burner has been approved by the Fire Marshall of the State of Massachusetts and by the Underwriters Laboratories.

The burner is of a mechanical pressure atomizing gun type and consists of the following parts: An American Radiator Blower, a Century 1/6 Horsepower Electric Motor; a Jefferson Transformer; Nitra-alloy Nozzle; a Webster Fuel Unit, consisting of the Webster pump Strainer, and Regulating and Cut-Off Valve. Ignition—Electric control. A Penn stack switch Model JSI, manufactured by Penn Electric Switch Company and a pressure control type L-404-2. An examination of the ignition system was found that the spark was of sufficient intensity and length. With the oil supply shut off, and cold combustion chamber, the burner was operated, and the stack switch cut out the motor in 88 seconds after starting. During the period of tests there were no puff-backs. When the burner was in operation the flame was free of smoke and the combustion chamber showed no undue carbon deposited.

The undersigned, therefore, recommends that the Standardyne Oil Burner be approved for domestic, commercial and industrial use when installed in accordance with the Fuel Oil Rules, adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standard and Appeals does hereby approve the device known as the Standardyne Oil Burner for use in domestic, commercial and industrial installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

Adjourned, 5:30 p. m.

EDWARD V. BARTON, Chief Clerk.

APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Kraissl Fuel Oil Pump.....	60-28-SA
American Marsh Simplex.....	639-25-SA	Leiman Rotary	95-24-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	M. D. Rotary.....	52-27-SA
Beach Russ Co. Rotary.....	1134-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Blackmer Rotary	935-24-SA	Monroe Oil Pump.....	658-26-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Northern Rotary	1396-24-SA
Century Rotary	908-21-SA	Pascoe Pump Set.....	1029-26-SA
Cook Electric Oil Pump.....	603-25-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Davidson	590-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Dean Bros. Durable Duplex.....	840-22-SA	Quimby Screw Pump.....	1193-21-SA
DeLaval IMO Oil Pump.....	628-32-SA	Ray Rotary	588-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Rotary Vacuum Pump.....	513-25-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Fluid Heat Oil Burner.....	361-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Forsdraft Oil Burner	41-34-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Foster Oil Burner.....	715-26-SA
Air-Blast Oil Burner.....	579-32-SA	Franklin Domestic Oil Burner.....	560-26-SA
Alladin Oil Burner.....	298-26-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Alexander Oil Burner.....	65-28-SA	Fuelo Oil Burner.....	47-30-SA
Arcoil Heat Machine.....	632-26-SA		
Auto-Heat Oil Burner.....	284-33-SA		
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gar Wood Oil Burner.....	373-30-SA
		Gar Wood Oil Burner, Model K and Model K-3500	481-32-SA
Baker Automatic House Heating Burner....	1323-22-SA	General Electric Fuel Oil Burner.....	434-32-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Ghapco Steam Generator.....	348-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Berggren Oil Burner.....	764-26-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Gill Oil Burner.....	1231-23-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bettendorf Oil Burner.....	731-28-SA		
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Grant Oil Burner, Model "C".....	232-32-SA
Branford Oil Burner.....	36-31-SA	Gulf Oil Burner.....	382-26-SA
Branford Oil Burner, Model "A".....	461-32-SA		
Brighton Oil Burner.....	372-33-SA	Hardinge Oil Burner.....	813-25-SA
		Hardinge Oil Burner, Model 23.....	33-33-SA
Calorcoil Burner, Type AA.....	1361-24-SA	Harris Fuel Oil Burner.....	690-30-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Hart Automatic Oil Burner.....	1162-24-SA
Carboradiant Oil Burner, Models V & VS....	16-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Carborundum Burner	571-29-SA	Hayward Oil Burner	696-30-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Heatiator Oil Burner.....	1346-23-SA
Carter-Korth Oil Burner	54-30-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Century Oil Burner.....	157-28-SA	Heil Combustion Fuel Oil Burner, Type B... ..	295-29-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Hercules Oil Burner.....	510-29-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Cook's Automatic Oil Burner.....	955-27-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Homer Domestic Oil Burner.....	1211-25-SA
Crescent Oil Burner	222-29-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Crescent Type M Size I Oil Burner.....	592-31-SA		
Crown Oil Burner, Type XA.....	426-29-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Inferno Oil Burner.....	82-33-SA
		International Mechanical Draft Oil Burner...	372-30-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	International Oil Burner.....	1305-24-SA
D'Elia Oil Burner.....	155-31-SA		
Delco Heat Oil Burner.....	420-31-SA	Jacobsen Balanced Oil Burner, (Model V-1)..	333-33-SA
DeWalt Oil Burner.....	541-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Dist-o-matic Oil Burner.....	663-28-SA	Joyce Oil Burner.....	852-26-SA
Doe Oil Burner.....	317-31-SA		
Doherty Oil Burner.....	943-26-SA	K. F. C. Oil Burner.....	846-25-SA
		Kelco Oil Burner.....	237-33-SA
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA	Kelvinator Oil Burner.....	339-31-SA
Economy Oil Burner, Type A-1.....	45-31-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Eisler Automatic Oil Burner.....	481-27-SA	Kleen Heet Oil Burner	62-24-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Kreager Oil Burner.....	367-30-SA
Ember-Glo Oil Burner.....	462-32-SA	Kres-Kno Oil Burner.....	443-28-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA		
Enterprise Steam Atomizing Burner.....	15-33-SA	Laco Oil Burner, Model NL.....	670-30-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Espo Oil Gas Burner.....	1431-23-SA	Lange Economical Oil Burner.....	355-33-SA
Evenheet Oil Burner.....	554-32-SA	Lawrence May Oil Burner.....	1034-27-SA
Everedy Oil Burner.....	102-33-SA	Leader Oil Burner.....	425-31-SA
		Leiman Brothers Fuel Oil Burner.....	314-30-SA
Fairfield Oil Burner.....	584-31-SA	Liberty Automatic Heater.....	129-28-SA
Faultless Oil Burner.....	493-24-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Florence Oil Heater, Model KC-9.....	62-33-SA		
Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
		M. W. Oil Burning Water Heater.....	737-29-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Magna Fuel Oil Burner.....	197-33-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Majestic Oil Burner.....	693-30-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Marr Oil Heat Machine.....	765-26-SA	Schulze Home Oil Burner.....	1487-23-SA
Master Fuel Oil Burner.....	350-32-SA	Scott-Newcombe Pioneer Oil Burner, Models C and CA.....	436-32-SA
Master-Kraft Oil Burner.....	83-33-SA	Security Oil Burner.....	56-28-SA
May Oil Burner.....	68-24-SA	Shepard Oil Burner.....	563-30-SA
May Oil Burner, Type BB.....	46-34-SA	Shill Oil Burner.....	315-30-SA
Mayfield Oil Burner.....	568-31-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Mayflower Oil Burner.....	124-29-SA	Silent Automatic Oil Burner.....	458-26-SA
McIlvane Oil Burner.....	544-29-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Merco Oil Burner.....	637-29-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morrissey Oil Burner.....	673-27-SA	Silent Glow Oil Burner, Model 1000.....	345-31-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
Morse Fuel Oil Burner.....	820-23-SA	Socony Arrow Oil Burner.....	1191-24-SA
Moto-Heat Oil Burner.....	195-32-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
Mousette Oil Burner.....	887-25-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Standardyne Oil Burner.....	34-34-SA
National Airoil Low Pressure Burner.....	186-29-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Stuhler Oil Burner.....	618-27-SA
National Rotary Oil Burner.....	836-25-SA	Summerheat Oil Burner.....	581-26-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
New Process Oil Burner.....	1071-27-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sun Heat Oil Burner.....	603-29-SA
Nokol Automatic Burner.....	1078-24-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Nu-Way Oil Burner.....	773-26-SA	Sunway Oil Burner.....	624-30-SA
Oilbuilt Burner	85-33-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Superfex Oil Burning Heater.....	491-31-SA
Oronoke Oil Burner.....	394-30-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Orr Fuel Oil Burner.....	113-26-SA	Superheat Oil Burner, Model D.....	254-33-SA
Paramount Oil Burner.....	1193-25-SA	Sword Automatic Oil Burner.....	951-25-SA
Paramount Oil Burner, Model A.....	617-30-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Pascoe Oil Burner.....	1029-26-SA	Thoroburn Oil Burner, Model A-1-16-G.....	269-33-SA
Petro Domestic Burner.....	161-26-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Model T Oil Burner.....	451-31-SA	Timken Rotary Oil Burner.....	297-29-SA
Petro Model W Oil Burner.....	452-31-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Petro Burner, Model O.....	78-28-SA	Todd Spiro Oil Burner.....	470-31-SA
Petro Burner, Model P-2.....	735-30-SA	Todd Spiro Burner (pump type).....	94-32-SA
Petro Oil Burner, Model W-2	244-33-SA	Toridheet Oil Burner.....	63-28-SA
Petro Oil Burner, Models W-1 and W-1½..	245-33-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	United States Oil Burner.....	620-28-SA
Powerlight Oilheat Burner.....	628-23-SA	Universal Fuel Oil Burner.....	6-24-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	Vaporoil Burner	44-32-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Vesta Oil Burner.....	451-26-SA
Quaker Burnoil Stove.....	11-31-SA	Victor Oil Burner.....	612-30-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victory Oil Burner.....	320-30-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Viking Oil Burner.....	396-32-SA
Rayfield Oil Burner.....	504-26-SA	Volcano Automatic Oil Burner.....	556-29-SA
Re-Ly-On Oil Burner.....	745-26-SA	Volcano Automatic Oil Burner, Model EW-1	341-33-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Wayne Oil Burner.....	1155-25-SA
Remington Oil Burner.....	891-26-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Williams Oil-o-matic Fuel Oil Burner, Williams Oil-o-matic, Jr., Models "K", "KA", "KB" and Model "JJ".....	918-22-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Rickard Oil Burner.....	1011-27-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Rotoflame Oil Burner.....	187-33-SA	Wizard Automatic Oil Burner.....	181-33-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	York Automatic Oil Burner.....	44-29-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA		
S & K Wide Range Fuel Oil Burner.....	10-33-SA		
S-K Oil Burner, Model F.....	369-33-SA		

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	19
Cases filed up to April 25, 1934.....	112	Dismissed	5
Restored to Calendar.....	29	Denied	48
		Granted	0
		Granted on condition.....	60
		Appliances approved	18
		Appliances dismissed, disapproved or withdrawn....	22
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	100	Requests to reopen granted.....	85
Requests to amend.....	33	Requests to reopen denied.....	8
Requests for modification.....	1	Requests to amend granted.....	33
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	18	Requests for modification granted.....	1
Requests for extension of permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	6	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	18
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total.....	521	Requests for extension of permit granted.....	9
Disposed of	340	Requests for extension of permit denied.....	0
Cases pending April 25, 1934.....	181	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	6
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	7
		Total.....	340

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, May 1, 1934, at 2 P. M.

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PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, May 7, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, May 14, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to May 2, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
118-34-BZ.....	D.B.B.....	1015-1023 Glenmore ave., North-west Corner of Euclid ave., (Block 4194, Lot 36), Brooklyn. Applic. 4069-34.
117-34-SA.....	F.D.....	Carter Oil Burner — Models 4X-5X. Appliance.
116-34-A.....	D.B.B.....	194 Grand st. (Block 2393, Lot 19), Brooklyn. 1860-LF.
115-34-A.....	D.B.B.....	1374 Myrtle ave., Southwest Corner of Harmon st. (Block 3277, Lot 14), Brooklyn. 1686-LF.
114-34-A.....	D.B.B.....	7010 13th ave., Southwest Corner of 70th st. (Block 6166, Lot 41), Brooklyn. 1752-LF.
113-34-BZ.....	D.B.B.....	1009 Myrtle ave. (Block 1749, Lot 48), Brooklyn. Applic. 1620-34.

Restored to Calendar.

64-32-BZ.....	D.B.Bx....	3917-3921 White Plains rd., Southwest Corner of E. 223d st. (Block 4824, Lots 1 and 82), The Bronx. N.B. 342-32.
528-31-BZ.....	D.B.Q.....	70-52 Kissena blvd., Northwest Corner of 70th rd. (Block 2235, Lot 1), Flushing, Queens. N.B. 4119-31.

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H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
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D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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COURT DECISION

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

Jane David Holding Corp. vs. Murdock et al.—Mr. Justice Steinbrinck—Board sustained. "Constitutionality of Section 21 is unquestioned." Feb. 21, 1933, Board dismissed for lack of jurisdiction application for gas station in business district on same block with school, under section 21. Cal. No. 68-32-BZ; Premises 1641-1649 Eastern Parkway, Northeast corner Hopkinson Avenue, Brooklyn. Appellate Division unanimously confirmed determination of Board. Court of Appeals affirmed App. Div. (N.Y.L.J. Apl. 28, 1934.)

CALL OF CLERK'S CALENDAR

MONDAY, MAY 7, 1934, AT 2 P. M.

Building Zone Cases.

1213-24-BZ.
 APPLICANT—Chas. Schaefer, Jr., for T. & R. Construction Co., Inc., owner.
 PREMISES—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT in a residence district the erection and maintenance of a gasoline service station (previously denied for a garage; reopened October 3, 1933).

78-34-BZ.
 APPLICANT—Jos. D. Nunan, Jr., for Cross Bay Theatre, Inc., owner.
 PREMISES—94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

81-34-BZ.
 APPLICANT—Samuels & Samuels, for Girolomo Staropoli, owner.
 PREMISES—196-08 Hillside avenue, south side, 50.42' east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

CALENDAR

MAY 8, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 8, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 327-33-BZ—Application, October 18, 1933, under section 21 of the building zone resolution, of Harold J. Crawford, applicant, on behalf of Nora Eberhardt, owner, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building; premises 21-17—30th avenue (Block No. 547, Lot No. 7), Astoria, Borough of Queens.

CAL. NO. 375-33-BZ.—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

CAL. NO. 35-34-BZ.—Application, February 9, 1934, under section 21 of the building zone resolution, of Samuel Roth, applicant, on behalf of Fannie Levy, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

CAL. NO. 68-34-BZ.—Application, March 9, 1934, under section 21 of building zone resolution, of Irving Kirshenblit, applicant, on behalf of Sarah Feman, owner, to permit in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type); premises 384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Brooklyn.

CAL. NO. 73-34-BZ.—Application, March 16, 1934, under section 21 of the building zone resolution, of Michael Levine, applicant, on behalf of Karron & Lieberman, Inc., owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station; premises 1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5" south of 20th avenue (Block No. 5464, Lot No. 15), Brooklyn.

CAL. NO. 492-27-BZ—Application of Levy and Berger, on behalf of Halward Realty Corp., owner, reopened April 17, 1934, for a modification of the resolution, to permit the erection of an additional structure, a one-story building to be occupied as an automobile showroom, this application previously granted under section 21 of the building zone resolution for the erection and maintenance of a gasoline service station located in a business district; premises 1134-1144 East New York avenue (Block No. 4600, Lot No. 7), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

MAY 8, 1934, 2 P. M.

Appeals from Administrative Orders.

85-34-A—1491 Broadway, southwest corner of West 43rd street (Block No. 1014, Lot No. 36), Manhattan.

89-34-A—214-222 West 26th street (Block No. 775, Lot No. 49), Manhattan.

93-34-A—682 Sixth avenue (Block No. 823, Lot No. 4), Manhattan.

Petitions for Variations.

61-34-S—91-95 Harrison place (Block No. 2998, Lot No. 45), Brooklyn.

87-34-S—599a-603 Fifth avenue (Block No. 1053, Lot Nos. 1 and 3), Brooklyn.

91-34-S—536-538 West 20th street (Block No. 691, Lot No. 1), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 8, 1934, at 2 o'clock, in Room 1013, Municipal Building on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 389-33-BZ—Application, December 29, 1933, under section 21 of the building zone resolution, of Stewart Willey, applicant, on behalf of Marcelle S. Flint, owner, to permit in a business district the change of occupancy of an existing building to a factory building; premises 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Brooklyn.

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

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CAL. NO. 42-34-BZ—Application, February 14, 1934, under section 21 of the building zone resolution, of Jack Jacobson, applicant, on behalf of Emdee Management, Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Brooklyn.

CAL. NO. 44-34-BZ—Application, February 15, 1934, under section 21 of the building zone resolution, of Robert Schnepfer, applicant, on behalf of Annuncio Ambrosia, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 137-02 to 137-10 Linden boulevard, southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

CAL. NO. 50-34-BZ—Application, February 21, 1934, under sections 7a, 7c and 21 of the building zone resolution, of Adolph Goldberg, applicant, on behalf of North Shore Motor Sales Co., Inc., owner, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry; premises 153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

CAL. NO. 607-31-BZ—Application, December 19, 1931; withdrawn April 26, 1932; reopened and restored to Calendar, February 6, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Ben S. Michaelson, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

CAL. NO. 353-33-BZ—Application, November 20, 1933, under section 21 of the building zone resolution, of Saul Goldsmith, applicant, on behalf of Ellen Martin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, MAY 14, 1934, AT 2 P. M.

Building Zone Cases.

100-34-BZ.

APPLICANT—Samuels & Samuels, for Kariene Burke, owner.

PREMISES—Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

101-34-BZ.

APPLICANT—Andrew A. Marjey, for P.M.H. Holding Corp., owner.

PREMISES—Northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

107-34-BZ.

APPLICANT—Samuels & Samuels, for John Bauer Realty Co., Inc., owner.

PREMISES—248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

459-32-BZ.

APPLICANT—Mildred I. Hefter, owner.

PREMISES—Southeast corner of Merrick road and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of gasoline service station and also, a motor vehicle repair shop (reopened April 10, 1934).

MAY 15, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 15, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 1304-25-BZ—Application of Samuel Fish, on behalf of Samuel Berman, owner, reopened March 20, 1934, under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the change of occupancy of an existing building to a motor vehicle repair shop and, also, garage for five (5) motor vehicles; premises 2447 Coney Island avenue, east side, 301'1" north of Avenue V (Block No. 7343, Lot No. 61), Brooklyn.

CAL. NO. 27-34-BZ—Application, February 1, 1934, under section 21 of the building zone resolution, of Edward P. Doyle, applicant, on behalf of Henrietta Meinikheim, owner, to permit in a business district

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the erection and maintenance of a gasoline service station; premises 72-02 to 72-10 57th avenue and 57-05 to 57-15 Mazeau street, southwest corner (Block No. 2808, Lot No. 79), Maspeth, Borough of Queens.

of the building zone resolution, *Tuesday afternoon, May 15, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 65-34-BZ—Application, March 8, 1934, under section 21 of the building zone resolution, of Burke & Olsen, applicants, on behalf of Domenick Schirripa, owner, to permit in a business district the erection and maintenance of a refrigerating plant; premises 5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Brooklyn.

CAL. NO. 6-34-BZ—Application, January 17, 1934, under sections 7a, 7e and 21 of the building zone resolution, of Harry A. Yarish, applicant, on behalf of Allan A. Kurtz, owner, to permit in a business district the erection and maintenance of stables for more than five (5) horses; premises 507-511 Foster avenue, north side, 178'6 3/4" west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.

CAL. NO. 66-34-BZ—Application, March 8, 1934, under section 21 of the building zone resolution, of David L. Woodall, Jr., applicant, and owner, to permit in a residence district the erection and maintenance of a business building (stores); premises Southwest corner of Weeks avenue and East 175th street (Block No. 2796, Lot No. 31), The Bronx.

CAL. NO. 37-34-BZ—Application, February 10, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Stiroco Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

CAL. NO. 25-34-BZ—Application, January 29, 1934, under section 21 of the building zone resolution, of William Richter, applicant, on behalf of The Brooklyn Athletic Field, Inc., owner, to permit in a residence district the extension of an existing business building; premises 1196 Ocean parkway, northwest corner of Avenue L (Block No. 5495, part of Lot No. 1000), Brooklyn.

CAL. NO. 49-34-BZ—Application, February 20, 1934, under section 7a of the building zone resolution, of H. I. Feldman, applicant, on behalf of David Nussdorf, owner, to permit in a residence district the alteration and extension of an existing building used in part for business use; premises 550-554 Bedford avenue northwest corner of Ross street (Block No. 2181, Lot No. 33), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CAL. NO. 62-34-BZ—Application, March 6, 1934, under section 21 of the building zone resolution, of Henry C. Harrington, applicant, on behalf of Dagmar Matsen Clements, owner, to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MAY 15, 1934, 2 P. M.

Appeals from Administrative Orders.

57-34-A—52-55 74th street (Bldg. No. 6); (Block No. 1594, part of Lot No. 15), Maspeth, Borough of Queens.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

74-34-A—944-946 Halsey street and 881-893 Macon street (Block No. 1495, Lot Nos. 23, 25 and 55), Brooklyn.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

114-34-A—7010 13th avenue, southwest corner of 70th street (Block No. 6166, Lot No. 41), Brooklyn.

115-34-A—1374 Myrtle avenue, southwest corner of Harmon street (Block No. 3277, Lot No. 14), Brooklyn.

116-34-A—194 Grand street (Block No. 2393, Lot No. 19), Brooklyn.

Petition for Variation.

97-34-S—48-56 West 48th street (Block No. 1263, Lot No. 61), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

CALL OF CLERK'S CALENDAR

MONDAY, MAY 21, 1934, AT 2 P. M.

Building Zone Cases.

76-34-BZ.

APPLICANT—Arverne Bay Construction Company, owner.

PREMISES—1868-1890 Linden boulevard, southwest corner of Georgia avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

CALENDAR

95-34-BZ.

APPLICANT—Edward P. Doyle, for Francesco Cassano, owner.

PREMISES—East side of Linden street (avenue), 50 ft. south of 34th avenue (Park place); (Block No. 4951, Lot No. 27), Flushing, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in an unrestricted district, the erection and maintenance of a baker shop.

96-34-BZ.

APPLICANT—Kennedy & Ellner, for Milfan Building Corporation, owner.

PREMISES—Northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in residence district and partly in a business district, the erection and maintenance of a gasoline service station.

MAY 22, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 22, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 7-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Henry C. Brucker applicant, on behalf of Salzi Homes, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

CAL. NO. 56-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joseph Cafiero, owner, to permit in a business district the erection and maintenance of a petroleum storage plant; premises 2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Brooklyn.

CAL. NO. 84-34-BZ—Application, March 30, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Koch and Wagner, applicants, on behalf of Lincoln Savings Bank, owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank); premises 7423-7427 Fifth avenue, northeast corner of Bay Ridge

parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Brooklyn.

CAL. NO. 993-26-BZ—Application of Jacob A. Freedman, on behalf of Leo Schumer, owner, reopened March 27, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

CAL. NO. 528-31-BZ—Application filed October 28, 1931, under section 21 of the building zone resolution; granted under section 7f, March 18, 1932, on certain conditions; reopened May 1, 1934, for an extension of permit—re Application of Thomas O'Rourke Gallagher, on behalf of George W. Horr, owner, permitting in a business district the erection and maintenance of a gasoline service station; premises 70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 22, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 22, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 59-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution, of Maxwell H. Lanes, applicant, on behalf of Estate of Charles A. Peabody, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores); premises 94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Brooklyn.

CAL. NO. 28-34-BZ—Application, January 31, 1934, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Nac Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

BOARD OF STANDARDS AND APPEALS.

SPECIAL MEETING

FRIDAY MORNING, APRIL 27, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Chief McElligott.

APPEALS FROM ADMINISTRATIVE ORDERS.

19-34-A.

APPELLANT—Helene Smidt, owner of property in affected area.

SUBJECT—Appeal from decision of the commissioner of buildings—re Revocation of Certificate of Occupancy No. 18225, dated February 18, 1932.

PREMISES AFFECTED—363 Lexington avenue (Block No. 1295, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Appellant: Leslie D. Dawson, John P. Fox.
In Opposition: W. R. Rawlin, C. I. Funston, Cornelius Callaghan, and others.

For Administration: None.

ACTION OF BOARD—Appeal placed on reserve calendar, pending action by the Board of Estimate and Apportionment.

20-34-A.

APPELLANT—Helene Smidt, owner of property in affected area.

SUBJECT—Appeal from a decision of the commissioner of buildings—re Revocation of Certificate of Occupancy No. 19004, dated June 28, 1933.

PREMISES AFFECTED—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Appellant: Leslie D. Dawson, John P. Fox.
In Opposition: W. R. Rawlin, C. I. Funston, Cornelius Callaghan, and others.

For Administration: None.

ACTION OF BOARD—Appeal placed on reserve calendar, pending action by the Board of Estimate and Apportionment.

21-34-A.

APPELLANT—Helene Smidt, owner of property in affected area.

SUBJECT—Appeal from a decision of the commissioner of buildings—re Revocation of Certificate of Occupancy No. 18912, dated April 20, 1933.

PREMISES AFFECTED—355-361 Lexington avenue and 133 East 40th street (Block No. 1295, Lot Nos. 21 and 23), Borough of Manhattan.

APPEARANCES—

For Appellant: Leslie D. Dawson, John P. Fox.

In Opposition: W. R. Rawlin, C. I. Funston, Cornelius Callaghan, and others.

For Administration: None.

ACTION OF BOARD—Appeal placed on reserve calendar, pending action by the Board of Estimate and Apportionment.

22-34-A.

APPELLANT—Helene Smidt, owner of property in affected area.

SUBJECT—Appeal from a decision of the commissioner of buildings—re Revocation of Certificate of Occupancy No. 17988, dated November 12, 1931.

PREMISES AFFECTED—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Borough of Manhattan.

APPEARANCES—

For Appellant: Leslie D. Dawson, John P. Fox.
In Opposition: W. R. Rawlin, C. I. Funston, Cornelius Callaghan, and others.

For Administration: None.

ACTION OF BOARD—Appeal placed on reserve calendar, pending action by the Board of Estimate and Apportionment.

BUILDING ZONE CASE.

528-31-BZ.

APPLICANT—Thomas O'Rourke Gallagher, for George W. Horr, owner.

SUBJECT—Application for reopening—extension of permit—re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Thomas O'Rourke Gallagher, George W. Horr.

ACTION OF BOARD—Application reopened, calendar call waived and set for public hearing on May 22, 1934, at 10 a. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Chief McElligott 4
Negative 0
Absent: Commissioner Peppe..... 1

Adjourned, 11:20 a. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MAY 1, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, April 24, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, April 24, 1934, were approved as printed in Bulletin No. 18, Vol. XIX.

BUILDING ZONE CASES.

6-34-BZ.

APPLICANT—Harry A. Yarish, for Allan A. Kurtz, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7a, 7e and 21 of the building zone resolution, to permit in a business district the erection and maintenance of stables for more than five (5) horses.

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PREMISES AFFECTED—507-511 Foster avenue, north side, 178 ft. 6¾ in. west of Ocean parkway (Block No. 5427, Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish, Irving Lipton.
For Opposition: Herman Brothers, William A. Pothier, Rev. C. A. Whitemarsh, Charles H. Breitbart.

ACTION OF BOARD—Laid over to May 15, 1934, at 2 p. m., for report of committee on inspection. No further argument.

37-34-BZ.

APPLICANT—Archie H. Samuels, for Stiroco Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.
For Opposition: W. H. Robin, E. L. Wagner, A. C. Turner, Abraham Fishbein, Jules Suptin.

ACTION OF BOARD—Laid over to May 15, 1934, at 2 p. m., for report of committee on inspection. No further argument.

49-34-BZ.

APPLICANT—H. I. Feldman, for David Nussdorf, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7a of the building zone resolution, to permit in a residence district the alteration and extension of an existing building used in part for business use.

PREMISES AFFECTED—550-554 Bedford avenue, northwest corner of Ross street (Block No. 2181, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. I. Feldman, David Nussdorf.
For Opposition: Hyman Ehrlich, Harvey Ehrlich, Max D. Spitzer, Hyman Wank, Alderman Joseph T. Sharkey.

ACTION OF BOARD—Laid over to May 15, 1934, at 2 p. m., for report of committee on inspection. No further argument.

59-34-BZ.

APPLICANT—Maxwell H. Lanes, for Estate of Charles A. Peabody, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores).

PREMISES AFFECTED—94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Hugo Levy, Maxwell H. Lanes, Asst. Engineer Faiella of the bureau of buildings.
For Opposition: William L. Sayers, Otis S. Carroll, Paul E. Lord, Guy Duval, Otto C. Schmitt.

ACTION OF BOARD—Laid over to May 22, 1934, at 2 p. m., for report of committee on inspection. No further argument.

62-34-BZ.

APPLICANT—Henry G. Harrington for Dagmar Matsen Clements, owner.

SUBJECT—Application (re decision of the commissioner of buildings), to permit under section 21 in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry G. Harrington, Albert Clements.

For Opposition: Allan N. Pollack.

ACTION OF BOARD—Laid over to May 15, 1934, at 2 p. m., for report of committee on inspection. No further argument.

28-34-BZ.

APPLICANT—John J. Dunnigan, for Nac Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: John J. Dunnigan, J. F. Dusenbury.

For Opposition: Louis Berkwit, John D. Connaughton, Morton Spooner.

ACTION OF BOARD—Laid over to May 22, 1934, at 2 p. m., for report of committee on inspection. No further argument.

332-33-BZ.

APPLICANT—Ivan E. Maginn, for Charles A. Carey (lessee), for Whitnobl Corp., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—14 West 66th street (Block No. 1118, Lot No. 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Ivan E. Maginn.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(332-33-BZ)

WHEREAS, this application affecting premises 14 West 66th street (Block No. 1118, Lot No. 42), Borough of Manhattan, was granted by the board February 27, 1934, on

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certain conditions, and applicant requests an amendment of the conditions imposed.

Resolved, that the resolution of the board, adopted February 27, 1934, be and it hereby is *amended*, only so far as it refers to the condition imposed as to the signs advertising the non-conforming use, so that as amended that clause will read:

"that no signs advertising non-conforming use shall be erected on the plot other than a sign not exceeding 3 ft. in width and 8 ft. in height, attached to the face of the building, and at a right angle thereto, extending beyond the building line for a distance of not more than 4 ft.; *on condition* that, other than as amended herein, the resolution shall be complied with in all respects."

APPEAL FROM ADMINISTRATIVE ORDER.

620-31-A.

APPELLANT—Lockwood Greene Engineers, Inc., for Hecker-Jones-Jewell Milling Co., owners.

SUBJECT—Application for reopening—extension of time—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—40 Corlears street and 730-738 Water street, northeast corner (Block No. 264, Lot Nos. 65 to 71, inclusive), Borough of Manhattan.

APPEARANCES—

For Appellant: None.

For Administration: None.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(620-31-A)

WHEREAS, this appeal affecting premises 40 Corlears street and 730-738 Water street, northeast corner (Block No. 264, Lot Nos. 65 to 71, inclusive), Borough of Manhattan, was granted by the board May 3, 1932, on certain conditions, and permit reinstated December 2, 1932 and May 9, 1933, for an additional period of time, and appellant requests a further extension.

Resolved, that the resolution adopted by the board on May 3, 1932, be and it hereby is *amended* only so far as it affects the time during which this permit is to run, so that as amended it will read:

"extension of time granted until May 9, 1935, *on condition* that the conditions imposed in the resolution adopted by the board on May 3, 1932, shall remain in full force and effect."

APPLIANCES SUBMITTED FOR APPROVAL.

16-34-SA.

PETITIONER—Warner Oil Burner Corp., owner.

SUBJECT—Warner Oil Burner, Model A, approval of.

APPEARANCES—

For Petitioner: W. Bragman.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles of the fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(16-34-SA)

WHEREAS, The Warner Oil Burner Corporation, owner, filed, January 23, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Warner Oil Burner, Model A; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is a mechanical draft pressure atomizing burner and consists of the following parts:

A Century 1/6 H.P. motor; a Tuthill pump; a Detroit lubricator regulating and cut off valve; Monarch nozzle; Webster Transformer of 110-10,000 volts; Torrington blower, and two Detroit lubricator strainers, one located in the suction line of the pump and the other located in the discharge line of the pump.

Ignition—electric.

Controls—Penn stack switch, Model JSI; Penn pressure switch, type "L".

Examination of the spark showed it to be of sufficient intensity and length for proper ignition.

The burner was operated with a cold combustion chamber and the oil supply shut off. The stack control shut down the motor in 99 seconds. The oil was then turned on and the burner operated for a period of about ten minutes. During the operation of the burner there was no abnormal discharge of oil, nor any puff backs from the flame. The flame was clear and without smoke. Examination of combustion chamber showed no abnormal carbon deposits.

It is therefore recommended that the Warner Oil Burner, Model "A", when installed in accordance with the Fuel Oil Rules adopted by the Board of Standards and Appeals, be approved for commercial, domestic and industrial use.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Warner Oil Burner, Model "A", for use in domestic, commercial and industrial installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

23-34-SA.

PETITIONER—Harry T. Clark, for Webster Electric Company, owner.

SUBJECT—Webster Fuel Oil Pump, Type A, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles of the fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(23-34-SA)

WHEREAS, Harry T. Clark, for Webster Electric Co., owner, filed, January 29, 1934, a petition with the Board of Standards and Appeals for approval of the device

MINUTES

known as the Webster Fuel Oil Pump, Type A; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The assembly and workmanship on this fuel unit is very good, and as a whole, it is very well constructed.

The purpose of the unit is to combine in one casing, strainer, pump and regulating valve. As a result of the examination of the various parts of this unit, it is recommended that the same be accepted for use in New York City, when installed in accordance with the rules of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Webster Fuel Oil Pump, Type A Burner for use in oil burning installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

195-33-SA.

PETITIONER—Woolery Machine Co., owner; M. C. Barnum, agent.

SUBJECT—Bullet Automatic Oil Burners, Models A and B, approval of.

APPEARANCES—

For Petitioner: Marvin C. Barnum.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles of the fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(195-33-SA)

WHEREAS, Engineering Exchange Corp., for Woolery Machine Co., owner, filed, May 29, 1933, a petition with the Board of Standards and Appeals for approval of the device known as the Bullet Automatic Oil Burner, Models A and B; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the mechanical draft pressure atomizing type. The Model B burner installed on these premises consists of the following parts:

A Leland repulsion induction type motor of 1/4 H.P.; Monarch nozzle; Centrifugal fan; Viking pump; Webster transformer of 110-10,000 volts, and two regulating and cut off valves, manufactured by the Woolery Machine Company. These valves are of the diaphragm pressure regulating type and are adjusted at the factory at 60 pounds pressure. Unless the oil delivery to the valve is in excess of this, no oil will flow to the nozzle. Built into this valve is a strainer.

Ignition—Electric.

Controls—In this particular installation, the burner was used in the hot air furnace, and the only control used was a Minneapolis Honeywell Protecto-Relay, Type R-117-3.

With a cold combustion chamber and the oil supply shut off, the burner was operated, and the Protecto-Relay shut down the motor in 80 seconds on two successive tests. Examination of the combustion chamber

showed no deposits of carbon or evidence of excess oil. The flame was clear and without smoke or soot.

The Model A burner differs from the Model B in the H.P. of the motor, which is 1/8 in the Model A. Otherwise, the burners are similar.

As a result of this test, it is therefore recommended that the Bullet Oil Burner, Models A and B, be approved for domestic, commercial and industrial purposes when installed in accordance with the Fuel Oil Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Bullet Automatic Oil Burner, Models A and B, for use in domestic, commercial and industrial installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

359-33-SA.

PETITIONER—Morrissey & Company, owner; H. A. Cobb, agent.

SUBJECT—Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles of the fire department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(359-33-SA)

WHEREAS, Morrissey & Company, owner, filed, November 13, 1933, a petition with the Board of Standards and Appeals for approval of the device known as the Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner consisted of a fan, driven by a Holtzer Cabot Motor, 1/4 H.P.; Purolator strainer; Viking pump; Detroit lubricator regulating and cut off valve, and a Detroit lubricator nozzle.

Ignition—electric.

Webster transformer 110-10,000 volts.

Controls—A Protecto-relay, Type R-103-4; Protectostat, Model H-3; Pressuretrol, Type L-404-2, manufactured by the Minneapolis Honeywell Company.

This burner was run with the oil shut off and a cold combustion chamber, and the control operated and shut the burner down in 66 seconds.

The Models MA-2, MA-3 and MP-1 are of the same design as this burner, and differ only in the size of motor and fan used. During the period of test on this burner there were no puff backs or flares and the flame burned without any smoke or soot. Examination of combustion chamber showed no undue deposits of carbon. Examination of the electrodes when in operation, showed spark was of sufficient intensity and length to properly ignite the oil.

The Model SP-1 was tested at 401 Carroll street, Brooklyn, and consisted of the following parts:

A fan driven by a Holtzer Cabot motor, 1/6 H.P.; Tuthill pump; Cuno strainer; Detroit lubricator cut off and relief valve; Detroit lubricator nozzle.

Ignition—electric.

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Webster transformer 110-10,000 volts.

Controls—Protecto-relay Stack control Model R-117-3, manufactured by the Minneapolis Honeywell Company, and a pressure switch, Model 33, manufactured by the Time-O-Stat Company.

Electrodes were tested first and the spark was found to be of sufficient intensity and length for proper ignition.

With the oil shut off and a cold combustion chamber, the burner was started and at the end of 95 seconds operation, the stack control shut down the motor.

The burner was then operated under normal conditions, and during this time there was no evidence of any puff backs or flares, and examination of combustion chamber showed no undue deposits of carbon.

The SP-2 burner is the same as above described model, with the exception that larger motors and fans are used. As a result of these tests, the undersigned recommended that these oil burners, namely, SP-3,

MP-1, MA-4, MA-2, MA-3, SP-1 and MP-1, be approved for domestic, commercial and industrial use, when installed in accordance with the rules of the Board of Standards and Appeals.

Further, I wish to invite attention to the fact that these oil burners have been approved by the National Board of Fire Underwriters, Underwriters Laboratory Guide 300.10.4. File MP-267.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Burner Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1, for use in domestic, commercial and industrial installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

Adjourned, 3:15 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, MAY 1, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

64-32-BZ.

APPLICANT—Edwin H. Snackenberg, for Anna Weiss, owner.

SUBJECT—Application for reopening—reconsideration under new facts—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—3917-3921 White Plains road, southwest corner of East 223rd street (Block No. 4824, Lot Nos. 1 and 82), Borough of The Bronx.

APPEARANCES—

For Applicant: Edwin H. Snackenberg.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN AND SET FOR CALENDAR CALL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

11-34-BZ.

APPLICANT—Joseph Walsh, for Harry Koggan, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing premises to junk shop.

PREMISES AFFECTED—273 Chester street, east side, 179 ft. 2¾ in. south of Blake avenue (Block No. 3560, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Walsh.

For Opposition: Reuben Silver.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(11-34-BZ)

WHEREAS, Joseph Walsh, for Harry Koggan, owner, filed, January 22, 1934, an application under the building zone resolution to permit in a business district the change of occupancy of an existing premises to a junk shop; premises: 273 Chester street, east side, 179 ft. 2¾ in. south of Blake avenue (Block No. 3560, Lot No. 12), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 1, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Chester street is in a business district Rockaway avenue is in an unrestricted district, Blake avenue is in a business and unrestricted district and Dumont avenue is in a business and unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 28, 1933, re: Applic. No. 9535-1933, reads:—

“Proposed change of occupancy to a Junk Shop to be located in a business use district is contrary to article 2, section 4a of zone resolution.”

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 96 ft. on Chester street, 100 ft. along the north and 144 ft. along the east lot line—upon the north portion of the plot there is located a two-story, non-fireproof structure 30 ft. by 100 ft. in area. Proposes to use the building and yard as a junk shop and yard; and

WHEREAS, this application was the subject of an inspection by a Committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

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REPORT OF COMMITTEE OF INSPECTION.

11-34-BZ.

Premises; 273 Chester street, E. S., 179 ft. 2¾ in. So. of Blake avenue (Block No. 3560, Lot No. 12), Borough of Brooklyn.

The premises are located on the easterly side of Chester street between Blake and Dumont avenues and consist of an irregular plot, 100 ft. deep with a frontage of approximately 96 ft., on the northerly side of which exists an old two-story building, which has had various uses, formerly as a stable and lately as a laundry and a junk shop. The recent junk shop tenant has moved out and the building and plot are now unoccupied.

It appears that the water meters have been removed because of past due charges for water and that the city now holds a lien which it sold itself at public sale, covering unpaid taxes, assessments and water charges, totalling approximately \$16,000. As the assessed valuation is \$11,500 for 1934, the equity of the owner appears to be lost.

Under these circumstances it would seem undesirable to grant a variation of the zoning resolution to permit a non-conforming use that will unquestionably further deteriorate the surrounding section. There appear to be no practical difficulties or unnecessary hardship shown. The proposed use is objected to by adjoining property owners and in the opinion of the committee inspecting the site and the surrounding section on April 12, 1934, this application should be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied, and the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

396-30-BZ.

APPLICANT—Benjamin Baser, for Isidor Schraub and Celia Silverman, owners.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar December 5, 1933.)

PREMISES AFFECTED—65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 71), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin Baser.

For Opposition: Joseph E. Lucas.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(396-30-BZ)

WHEREAS, Benjamin Baser, for Isidor Schraub and Celia Silverman, owners, filed, June 14, 1930; withdrawn September 30, 1930; reopened December 5, 1933, an application under the building zone resolution to permit in

a business district the erection and maintenance of a gasoline service station; premises: 65-04 to 65-06 Woodside avenue, southeast corner of 65th street (Block No. 1342, Lot No. 71), Woodside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 1, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Woodside avenue is in a business district, 65th street is in a residence district and 65th place is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 8, 1934, re: Plan No. 12-34, reads:

"The erection of a gasoline filling station in a business district is contrary to the zone law (article 2, section 4, subdivision 46 BZR)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 40.9 ft. on Woodside avenue and 91.2 ft. on 65th street—upon which it is proposed to erect an office 14 feet by 18 feet in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

396-30-BZ.

Premises; 65-04 to 65-06 Woodside avenue, southeast corner 65th street (Block No. 1342, Lot No. 71), Woodside, Borough of Queens.

The plot in question is at the southeast corner of Woodside avenue and 65th street, Woodside, Borough of Queens, and is approximately 40 ft. by 91 ft., located in an area zoned for business use. While all four corners are vacant, the neighborhood gives the appearance of being developed with good residential buildings both along Woodside avenue and 65th street and with some neighborhood business.

The cut for the Long Island Railroad track is at the back of the property, but this does not appear to be objectionable and, in fact, provides an openness which should make the plot under appeal very desirable for a conforming building. A gasoline station at this point is not only not needed, inasmuch as there are several stations down 65th street at Queens boulevard, but in the opinion of the committee would depreciate this section to the great disadvantage of owners of recently constructed residential buildings. The neighborhood appears to be in objection and were represented at the hearing in protest against the variance being granted.

If the Board should grant the variance on this corner the other corners would undoubtedly make similar requests. In fact, one corner has already been before the Board under Calendar No. 52 of 1932-BZ, and that application was unanimously denied after a committee of inspection reported unfavorably. While the committee found that the size of the plot was too small to be useable, they also reported that the type of development adjacent made a gasoline station inadvisable, and this committee agrees with their findings. There has been no hardship shown that would justify the variance being granted and the committee which inspected this site on April 26, 1934, recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

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WHEREAS, this report recommends that the application be denied, and the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

383-33-BZ.

APPLICANT—Aaron G. Alexander, for Matin Realty, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Virginia avenue and Hugh J. Grant circle (Block No. 3929, Lot Nos. 1, 8 and 11), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(383-33-BZ)

WHEREAS, Aaron G. Alexander, for Matin Realty, Inc., owner, filed December 27, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Northeast corner of Virginia avenue and Hugh J. Grant Circle (Block No. 3929, Lot Nos 1, 8 and 11), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 1, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Virginia avenue is in a business district, Storrow street is in a residence district, Hugh J. Grant Circle is in a business district and Westchester avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 15, 1933, re: Applic. N. B. 223-33, reads:

"1—Erection of buildings and occupancy of premises in business district for gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 29.9 ft. on Hugh J. Grant Circle, 241.8 ft. on Virginia avenue and a distance of 86.4 ft. along the north lot line. Upon this plot it is proposed to erect two (2) one-story structures (each 9 ft. by 14 ft. in area) washing racks, greasing racks and also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report of same read at this hearing; and

WHEREAS, this report recommends that the application be denied, and the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

15-34-BZ.

APPLICANT—Julius Auserehl, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Sidney R. Nussenfeld.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(15-34-BZ)

WHEREAS, Julius Auserehl, owner, filed January 23, 1934, an application under the building zone resolution to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises: northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 1, 1934, after due notice of publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Foch Boulevard is in a business district, 219th street is in a residence district, 218th street is in a residence district and 116th avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 4, 1934, re: Plan No. 1-1934, reads:

"1. The erection of a gasoline selling station in a business district and extending into a residence district is contrary to article 2, sections 3 and 4 of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Foch boulevard and 104.2 ft. on 219th street, upon which it is proposed to erect a one-story structure 60 ft. by 25 ft. in area to be occupied as office, salesroom and grease pits and also to install the necessary tanks and pumps for a gasoline service station. The north portion of the lot extends into the residence district for a distance of 4.2 ft. The remainder of the plot is in the business district; and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report of same read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

15-34-BZ.

Premises; Northwest corner of Foch boulevard and 219th street (Block No. 2152, Lot No. 1), St. Albans, Borough of Queens.

A variance of the zoning resolution is sought under section 21 to permit a gasoline service station at the northwest corner of Foch boulevard and 219th street, St. Albans. The plot is 100 ft. by 104 ft. in a district zoned for business except for the northerly four feet which is in the residential zone. This is a highly developed section consisting mainly of private single houses with store buildings for neighborhood busi-

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ness. The other half of the block front on Foch boulevard adjoining the site under appeal is developed, even though it is an area zoned for business, with five single family houses. All these blocks easterly from Springfield boulevard and along both sides of Foch boulevard for a distance of 1,000 feet or more can be considered developed, there being relatively little vacant property except along Foch boulevard. The claim of the applicant that the few people who live in this section are inadequate to support 25 per cent. of the stores is not borne out by the testimony of those who appeared in opposition at the hearing or by the inspection made by a committee of the Board on April 26, 1934. As stated at the hearing by builders who developed this section and who are opposed to this additional gasoline station, the section is ready for resumption of development, but the saturation point for gasoline stations has been reached.

There are gasoline stations at two corners of Springfield boulevard and Foch boulevard, one enjoying a temporary permit by Court order until removed by petition of a property owner or administrative official; the other under a temporary permit granted by this Board for five years. On the third corner a station permitted by the Court, after denial by the Board, is apparently about to be erected. Another station is on Foch boulevard opposite Nashville avenue, and diagonally across Foch boulevard from this site under appeal is a gasoline station, there by virtue of a court decision after denial by the Board under calendar No. 67-32-BZ. This station, like the one at the intersection of Springfield and Foch boulevards, is under the dictum of a court order to the effect that, when circumstances change, upon application of authorities or anyone interested, the gasoline service station must be removed. While this decision follows the decision of the Court of Appeals in the St. Albans Springfield case, the conditions were entirely dissimilar because great development had taken place and the section was no longer open farm country as it was represented when the Foch Springfield corner was before the Board under calendar No. 823-28-BZ. When this appeal was before the Board for the southeast corner of 219th street, calendar No. 67-32-BZ, conditions had greatly changed as is indicated by the photographs and the report of the committee on inspection. Since then, still further development has occurred and the state of facts that led the Court of Appeals to render the Springfield St. Albans decision no longer obtains. This station could be removed at once if the demand were made under the court order, as circumstances have completely changed and in the opinion of the committee this station now has no justification in this developed business and residential section.

For these reasons, an additional station as proposed under this present appeal has no place. Adjoining this highly developed residential area, there is no need for additional stations. The one proposed would cause depreciation and loss to adjoining owners. Further, there have been no practical difficulties or unnecessary hardship shown. This plot was purchased for its speculative possibilities and the owner now desires immediate income, with relatively little expenditure, without regard to the effect on his neighbors. Conforming buildings in this section have been constructed this past year and others are now being constructed, and in the opinion of the committee this plot under appeal should be developed for conforming uses only.

The committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied, and the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

347-33-BZ.

APPLICANT—Aaron H. Schwartz, for Webames Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling.

PREMISES AFFECTED—138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), Borough of The Bronx.

APPEARANCES—

For Applicant: Aaron H. Schwartz.

For Opposition: Mitchell Siegel.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

Kidney 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(347-33-BZ)

WHEREAS, Aaron H. Schwartz, for Webames Realty Corp., owner, filed, November 17, 1933, an application under the building zone resolution to permit in a residence district the alteration and change of occupancy of an existing dwelling to business use (stores) and dwelling; premises: 138 Eames place, southeast corner of Webb avenue (Block No. 3248, Lot No. 62), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 1, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eames place is in a residence district, Webb avenue is in a residence district and Kingsbridge road is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 8, 1934, re: Alt. 523-33, reads:

"6—Proposed occupancy of building for business use (stores) in a residential district is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 97 ft. on Webb avenue and 25 ft. on Eames place. Upon the plot there is located a two-story frame (stucco) dwelling 21 ft. by 62 ft. in area. It is proposed to extend (in area) the first story of this building on the Webb avenue and Eames place fronts; the area of the 1st story as altered is 23 ft. on Eames place and 72 ft. on Webb avenue. It is proposed also, to remove the existing 1st story and lower same to grade. Proposes to occupy the 1st story (as altered) for stores and the 2nd story for dwelling; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

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REPORT OF COMMITTEE OF INSPECTION.

347-33-BZ.

Premises: 138 Eames place, southeast corner Webb avenue (Block No. 3248, Lot No. 62), Borough of The Bronx.

The plot under appeal is on the southeast corner of Webb avenue and Eames place with a frontage of 25 ft. on Eames place and 97 ft. on Webb avenue, on which there exists a two-story two-family stuccoed dwelling with two-car garage at the rear. The area is zoned for residence use and adjoins a business use area to the south along Kingsbridge road. The variance requested under section 21 is to remodel the building so that there would be six stores along Webb avenue. The applicant states that these would be fireproof, but plans on file indicate a renovation of the first story and basement of the existing non-fireproof structure with no protection except metal ceiling between the business portion and the residence portion which it is proposed to retain.

The claim is that the existing building no longer pays although it carried itself when it was occupied by the owner who now desires to move out. A small portion of the southerly end of this plot is opposite the business district and this is named as a justification for the variance requested.

The entire residence district surrounding this site is solidly built up with conforming residence use and there are apartment buildings to the south to the rear opening on Kingsbridge road.

The committee in inspecting this site on April 26, 1934, can find no hardship and are of the opinion that it would be an unjustified imposition on the neighboring residential building owners and tenants to grant the variance sought, especially as the plot under appeal is now developed with very useable residence building, well lighted by open courts of adjacent buildings. The desire of the owner to increase his revenue by obtaining a variance to permit a business use to the disadvantage of his neighbors is not justified and the committee recommend that the appeal be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied, and the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1236-27-BZ.

APPLICANT—Archie H. Samuels, for Dorothy Rehder, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 21 and 7F of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously granted on certain conditions and the time within which to obtain permits and complete work has expired; reopened January 9, 1934).

PREMISES AFFECTED—Southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

APPEARANCES—

For Applicant: Milton Samuels.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(1236-27-BZ)

WHEREAS, Archie H. Samuels, for Dorothy Rehder, owner, filed, November 22, 1927; granted on certain conditions May 29, 1928; extension granted November 27, 1928, and the time within which to obtain permits and complete work has expired; reopened January 9, 1934; an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 1, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Woodhaven boulevard is in a business district, 92nd street is in an undetermined district and 163rd avenue is in an undetermined district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 2, 1934, re Plan No. 117, reads:

"Erection of a gasoline service station in a business district is contrary to article 2, section 4, subdivision 46, building zone resolution.

"Not further examined."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 30 ft. on Woodhaven boulevard and 84.4 ft. on 163rd avenue—upon which it is proposed to erect a one-story structure, 40 ft. by 23 ft., irregular in area—to be used as office and grease pit and proposes, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 1236-27-BZ.

Premises: Southeast corner Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

This is an application for the reinstatement of a variance which was granted by the board, apparently without inspection, on certain conditions under the same calendar number on May 29, 1928, and the extended time in which completion was required has expired.

The plot is on Woodhaven boulevard at the corner of the proposed 163rd avenue. Shell Bank Basin is at the rear of the property and actually, without the construction of 163rd avenue together with bulkheads and a great amount of fill, the property cannot be used except along the frontage of the 30 ft. plot and to the east for a distance of thirty or forty feet.

Inasmuch as the property to the east of Woodhaven boulevard, except for the 100 ft. business strip, is zoned as an undetermined area, the committee considers that this area can be deemed temporarily as an undeveloped area coming within the meaning of section 7, subdivision F. Undoubtedly improvements will be made to Shell Bank Basin which will make this area desirable for development.

The applicant in this case has filed a brief not only including letters from real estate brokers but also quoting from numerous decisions of the courts. Such

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a brief is apparently filed for the purpose of laying a foundation for a court action to review the action of the board in the event the application is denied. Such briefs are unnecessary. This board is not a court of law but is established for the purpose of granting variances within its discretion when it appears that, within the scope of its powers, such variances are justified.

The committee which inspected the property on April 26, 1934, recommends that a permit should be granted under section 7-F, limiting the use of the plot to the front portion only, under similar conditions as were imposed in the variation granted under Cal. No. 111-32-BZ, at the corner of the proposed Morrell or 164th avenue on the same side of the same block and to the south of this plot under appeal, and recommends that the application for reinstatement of the variance be granted under those conditions.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be granted under section 7-F.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted for a temporary period of two (2) years* from the date of this action under Section 7-F *on condition* that the gasoline pumps installed shall be located at least 10 ft. back from building line of Jamaica Bay boulevard, also known as Woodhaven boulevard; that the accessory building erected on the property shall be limited to a building not exceeding 400 sq. ft. in area used for office purposes and the sale of accessories; that the area of this plot to be used for gas station purposes shall not exceed a depth of 50 ft. easterly from Jamaica Bay boulevard; that if any washing stand or greasing pit is installed, same shall be installed in buildings not over one story in height; that the plot where not covered by accessory buildings shall be levelled substantially to the grade of Woodhaven boulevard and covered with cracked bluestone, steam cinders or equivalent material; that the entrance to this property shall be from Woodhaven boulevard only; that the curb cut shall not exceed 25 ft. in width; that no portable gasoline tanks shall be used on or from the property; that any signs advertising non-conforming uses shall be restricted to illuminated globes of the gasoline pumps; and that all permits shall be obtained within six months and all work completed within nine months from date of this action.

382-33-BZ.

APPLICANT—Andrew Yablonsky, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—Southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Charles Haje.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Kidney 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(382-33-BZ)

WHEREAS, Andrew Yablonsky, owner, filed, December 26, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a motor vehicle repair shop; premises: Southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 1, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Merrick road is in a business district, 134th road is in a residence district, 220th street is in a residence district and 221st street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 8, 1933, re Plan No. N. B. 2559-33, reads:

"1. The erection of a building for use as an automobile repair shop in a business district is contrary to article 2, section 4, subdivision 29 of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 85 ft. on Merrick road and 90 ft. on 220th street, upon which is located a gasoline service station. Upon the northwest portion of the plot is located a two-car garage; it is proposed to alter and extend this two-car garage to a one-story structure 48 ft. by 28 ft. in area, to be used as a motor vehicle repair shop; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 382-33-BZ.

Premises: Southeast corner of Merrick road and 220th street (Block No. 3599, Lot No. 21), Springfield, Borough of Queens.

The plot under appeal is located on Merrick boulevard at the southeast corner of 220th street, Springfield, Borough of Queens, and is in a district zoned for business adjoining a developed residential area. There is now on this plot a gasoline service station which was established prior to the adoption of the zoning resolution. The applicant claims that he has always done small repairs and now desires to erect on the rear of the plot a one-story brick building for motor vehicle repairing.

In addition to the gasoline station there is now a building used for automobile accessories and living quarters; and there is also a two-car metal garage which the proposed repair shop would replace.

In the opinion of the committee upon inspection on April 26, 1934, there is no hardship shown to justify the board in adding an additional non-conforming use as this would undoubtedly be followed by other appeals for similar uses in the neighborhood. As it is this section is deteriorated because of the existing non-conforming uses and to permit further deterioration would be inadvisable, as, except for the frontage along Merrick road the adjoining sections are well developed with residences.

The committee made a careful inspection on April 26, 1934, and recommends that the appeal be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.

CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

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WHEREAS, this report recommends that the application be denied, and the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of commissioner of buildings be and it hereby is *affirmed*, and that the application is *denied*.

APPEALS FROM ADMINISTRATIVE ORDERS.

63-34-A

APPELLANT—Walter C. Martin, for Board of Education, for City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—14 Lexington avenue, northwest corner of 22nd street (Block No. 878, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Appellant: Charles Tilgner, Sterling Smith, Florence Marshall.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to May 15, 1934 at 2 p. m.

74-34-A.

APPELLANT—J. Sarsfield Kennedy, for T. A. Clarke Company, owner.

SUBJECT—Appeal from orders of the commissioner of buildings.

PREMISES AFFECTED—944-946 Halsey street and 881-893 Macon street (Block No. 1495, Lot Nos. 23, 25 and 55), Borough of Brooklyn.

APPEARANCES—

For Appellant: Frank G. Colgan.

For Administration: None.

ACTION OF BOARD—Laid over to May 15, 1934, at 2 p. m., upon request of appellant's representatives. Board to inspect the building.

80-34-A.

APPELLANT—New York Enamel Products, Inc., lessee. SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—702 East 12th street (Block No. 381, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Appellant: Samuel Bierman.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Laid over to May 15, 1934, at 2 p. m., for appellant to confer with representative of department of buildings.

60-34-A.

APPELLANT—Ernest M. Van Norden, for The United Electric Light and Power Co., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Southeast corner of Locust avenue and East 134th street (Block No. 2583, Lot Nos. 365 and 369), Borough of The Bronx.

APPEARANCES—

For Appellant: Ernest M. Van Norden.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal withdrawn without prejudice.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

71-34-A.

APPELLANT—S. A. Swenson, for Durand-Ruel, Inc., lessee.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—12 East 57th street (Block No. 1292, Lot No. 63), Borough of Manhattan.

APPEARANCES—

For Appellant: S. A. Swenson.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(71-34-A)

WHEREAS, S. A. Swenson, for Durand-Ruel, Inc., lessee, filed March 14, 1934, an appeal from an order of the commissioner of buildings, affecting premises 12 East 57th street (Block No. 1292, Lot No. 63), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated February 23, 1934, re: Order No. 9598-F, reads:

"1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Section 580-1, chapter 5, Code of Ordinances and rules of the Board of Standards and Appeals;"

and

WHEREAS, the building is fireproof, 8 stories (106 ft.) in height, 25 ft. by 100 ft. in area; OCCUPIED: cellar, storage; 1st to 4th stories, display and sale of paintings, 9 persons; 5th to 8th stories, dwelling; located within a business district; and

WHEREAS, the appellant claims the building was erected in 1913, of reinforced concrete construction, equipped with a standpipe system, fed from a 5,000 gallon house supply tank, 3,500 gallons reserved for standpipe lines, the bottom of which is about 6 feet above the hose outlet of highest story; the floor area is less than 2,500 square feet; however, in addition to the required fireproof interior stairs from street to roof, there is an adequate fire escape on the rear of the building connecting at first story with a fireproof passageway leading direct to the street; the cellar is equipped with a sprinkler system supplied from the street water main; furthermore, the appellant proposes to maintain a fire extinguisher and a six bucket water tank in highest story at all times.

Resolved, that the order of the commissioner of buildings, No. 9598-F be and it hereby is *modified*, and the appeal be and it hereby is *granted* so as to permit gravity tank to remain at its present height above the roof *on condition* that the bottom of tank shall be not less than 6 ft. above the hose outlets in the highest or pent-house story, used for residential purposes; that the hose nozzle in the pent-house story shall be reduced to ½-inch in diameter; that other than as herein modified, Rule 91 of the Standpipe Rules shall be complied with in all respects; and, that all other fire-fighting equipment in the building shall be maintained to the satisfaction of the administrative official.

82-34-A.

APPELLANT—H. S. Rogers, President, for Polytechnic Institute of Brooklyn, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—71-99 Livingston street (Block No. 266, Lot No. 12), Borough of Brooklyn.

MINUTES

APPEARANCES—

For Appellant: Oscar William Lindholm.
For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(82-34-A)

WHEREAS, H. S. Rogers, President, for Polytechnic Institute of Brooklyn, owner, filed, March 29, 1934, an appeal from an order of the fire commissioner affecting premises 71-99 Livingston street (Block No. 266, Lot No. 12), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated March 16, 1934, re: Order No. 64061-LC reads:

"With reference to application for the storage of chemicals at premises 71-99 Livingston street, Brooklyn, I regret to state that I am without power to grant a permit for the storage of chlorine gas at said location for the following reason:

Section 214-A, subdivision 4-F, chapter 10, Code of Ordinances, New York, states that no permit shall be issued for the storage or use of liquified chlorine in any building used for a hotel, lodging house, tenement house or dwelling or in any building, lot or enclosure located within 50 feet of the nearest wall of a building occupied as a hospital, school, theatre or other place of public amusement or assembly.

You are therefore ordered to remove all liquified chlorine gas from the premises and to discontinue the further storage and use of on said premises;" and

WHEREAS, the building is non-fireproof, 4 stories and basement (70 ft.) in height, 101 ft. 6 in. by 142 ft. 7 in. in area; OCCUPIED as a college; cellar, experimental laboratory; 1st story, chapel and offices; upper stories, class rooms; located within a business district; and

WHEREAS, the appellant has filed drawings indicating that a 100 pound cylinder of liquified chlorine gas stored in a metal box located outside the building in the westerly inner court; the appellant claims that fixed piping is constructed from the metal box leading into the building through which the chlorine gas is transmitted to the laboratories on 4th story where experimental researches are made; there is a control valve at cylinder in the court and valves at laboratories inside the building governing the use of liquified chlorine gas.

Resolved, that the order No. 64061-LC, of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted* on condition that at no time will there be more than 100 lbs. of liquid chlorine maintained on the premises; that such chlorine shall be stored at all times in a metal cabinet located outside the building as indicated on plan; that there shall be installed within this cabinet a sprinkler head, arranged to be freeze-proof and controlled by means of valves from inside of building and supplied with water from the house service lines; and that there shall be installed at all outlets on the pipe leading from chlorine tank to points within the building approved needle valves of noncorrosive metal; and that this equipment shall be at all times under the supervision of a responsible instructor of the Institute.

PETITIONS FOR VARIATIONS.

61-34-S.

PETITIONER—General Neon Tube Corp., lessee.

SUBJECT—Petition for variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—91-95 Harrison place (Block No. 2998, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Petitioner: Richard P. Charles.
For Administration: None.

ACTION OF BOARD—Laid over to May 8, 1934, at 2 p. m., for petitioner to amend petition.

72-34-S.

PETITIONER—John J. Gilmartin, for Timken Realty Corp., owner.

SUBJECT—Petition for variation of the labor law as cited in an order of the fire commissioner and a decision of the commissioner of buildings.

PREMISES AFFECTED—501-509 Seventh avenue and 137-153 West 37th street, northeast corner (Block No. 813, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Petitioner: John J. Gilmartin.
For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition granted on condition.

THE VOTE

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(72-34-S)

WHEREAS, John J. Gilmartin, for Timken Realty Corp., owner, filed March 13, 1934, a petition for a variation from the requirements of the labor law as cited in an order of the fire commissioner and a decision of the commissioner of buildings, affecting premises 501-509 Seventh avenue and 137-153 West 37th street, northeast corner (Block No. 813, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated January 18, 1933, re: Order No. 59-LF, reads:

"Inspection shows the following to be necessary to make the above premises comply with the requirements of the Labor Law.

"Institute a fire drill. Labor Law 279";

and

WHEREAS, the decision of the commissioner of buildings, dated March 10, 1934, reads:

"In reference to your request to rescind Order No. 59-LF pending against the above premises and requiring a fire drill to be established in accordance with section 279, Labor Law, you are advised that as the sprinkler system installed does not cover every square foot of the floor area on every story, your request must be denied";

and

WHEREAS, the building is fireproof, 17 stories (216 ft.) in height, 99 ft. by 244 ft. in area; OCCUPIED as a tenant factory; offices, showrooms and manufacturing, 180 persons per story; located within a retail district; EQUIPPED with a sprinkler system and a fire alarm signal system; EXITS: a fire tower; two interior fireproof stairways, extending from the 1st story to roof, enclosed in fireproof partitions with fireproof doors at openings; and

WHEREAS, the petitioner claims the building is entirely fireproof; equipped with a standpipe system, an approved interior fire alarm system, a two source automatic sprinkler system fed from a 25,000 gallon gravity tank and a 9,000 gallon pressure tank, with a water flow fire alarm connection to central office, supervised by the American District Telegraph Co.; the entire building is covered by the sprinklers except a small portion of the 1st story occupied by a bank, 38 ft. by 80 ft., located at the intersecting street corner with doorway exit direct to street; the order

MINUTES

for fire drill is technical; furthermore, the petitioner contends that adequate fire pails and portable fire extinguishers will be provided; that the owner would suffer an unnecessary hardship if compelled to carry out the strict letter of the law.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the Labor Law and that the petition be and it hereby is *granted* as to Order No. 59-LF *on condition* that the building throughout shall have every square foot of superficial floor area protected with automatic sprinklers except the two main vestibules to Seventh avenue and West 37th street between the pairs of exit doors and the space on the ground floor at the corner of Seventh avenue and West 37th street, occupied by the bank for the area of 80 ft. by 38 ft., including the mezzanine floor therein; that the double doors from the rear of bank to public corridor shall be fireproof and self-closing and that the sprinkler system shall, other than as modified herein, comply in all respects with the Sprinkler Rules of the Board of Standards and Appeals; that there shall be maintained a central office water-flow alarm; that all other fire-fighting apparatus shall be maintained to the satisfaction of the administrative official; that such hand fire extinguishers shall be installed in the street floor Bank portion as the administrative official shall direct, and that the Labor Law shall be complied with in all respects, including modifications granted previous to this action by the Board.

83-34-S.

PETITIONER—Ansonia Fire Prevention Eng. Co., Inc., for Bricken Properties Corp., owner.

SUBJECT—Petition for variation of the labor law as cited in orders of the fire commissioner and decisions of the commissioner of buildings.

PREMISES AFFECTED—225-235 West 37th street and 230-238 West 38th street (Block No. 787, Lot Nos. 25 to 30 and 59 to 61), Borough of Manhattan.

APPEARANCES—

For Petitioner: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(83-34-S)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Bricken Properties Corp., owner, filed, March 28, 1934, a petition for a variation from the requirements of the labor law as cited in orders of the fire commissioner and decisions of the commissioner of buildings, affecting premises 225-235 West 37th street and 230-238 West 38th street (Block No. 787, Lot Nos. 25 to 30 and 59 to 61 inc.), Borough of Manhattan; and

WHEREAS, the orders of the fire commissioner, dated December 6, 1932, re: No. 99204-LD and December 7, 1932, re No. 99233-LD, reads:

"1. Remove all articles or wares from the stairway enclosure or from the landings, platforms or passageways connected therewith including cigar stand in main hall on the first story, as per Rule 10 of the Board of Standards and Appeals. NOTE: The above order shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wired glass or one-quarter inch thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public

hall or corridor on the first story provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to the same shall be set back at least 18 in. from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½ gallon chemical fire extinguisher";

and

WHEREAS, the decisions of the commissioner of buildings, dated March 8, 1934, reads:

"In reference to your request to rescind Order No. 99233-LD and Order No. 99204-LD pending against the above premises and requiring as follows:

"Remove all articles or wares from the stairway enclosure or from the landings, platforms or passageways connected therewith including cigar stand in main hall on the first story, as per Rule 10 of the Board of Standards and Appeals."

"As this cigar stand is located on the passageway from the stairway to the street, your request must be denied";

and

WHEREAS, the two (2) buildings are fireproof 16 and 17 stories in height, 114 ft. 3 in. by 197 ft. 6 inches in area; OCCUPIED as tenant factories, not more than 80 persons per story of each building; located within an unrestricted district; each building is EQUIPPED with a sprinkler system; EXITS: two interior fireproof stairways, extending from the 1st story to roof, enclosed in fireproof partitions with fireproof doors at openings; and

WHEREAS, the petitioner claims the two buildings are connected on first story by means of a wide public arcade extending through the block from street to street; there is a cigar stand set in a recess from the entrance door at each street front; the entrance hall where the cigar stands are placed is shut off the public arcade by a tier of four doors; there is a clear width of passageway of 15 ft. 8 in. and 16 ft. in front of the cigar stands; if by any remote chance the entrance became obstructed persons could pass through the arcade to the other street entrance; under Cal. No. 1020-23-S, the Board granted the maintenance of a cigar stand under less favorable conditions than herein presented; furthermore, the petitioner contends that the sprinkler system is provided with an automatic water flow alarm supervised by the National District Telegraph Co.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law and that the petition be and it hereby is *granted*, permitting the cigar stands to remain as indicated on plans filed with this petition in the exterior vestibules on West 37th street and West 38th street, *on condition* that the sprinkler system in the building shall comply in all respects with the Sprinkler Rules of the Board of Standards and Appeals and that there shall be maintained a central office water-flow alarm; and that all other fire-fighting appliances shall be maintained to the satisfaction of the administrative official; *on further condition* that the merchandise sold on these cigar stands shall be limited to tobacco products and candy; that no open flame shall be permitted in connection with these cigar counters and that at each counter there shall be installed a 2½ gallon approved fire extinguisher.

APPLIANCES SUBMITTED FOR APPROVAL.

105-34-SA.

PETITIONER—E. A. McLarney, for Kelvinator Sales Corp., owner.

SUBJECT—Kelvinator Oil Burner, Model K, approval of.

APPEARANCES—

For Petitioner: E. A. McLarney.

MINUTES

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and the bureau of combustibles, fire department, for test and report.

108-34-SA.

PETITIONER—Westchester Home Equipment Co., Inc., owner.

SUBJECT—Wheco Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and the bureau of combustibles, fire department, for test and report.

375-32-SA.

PETITIONER—S. T. Johnson Co., owner, H. Lieblich & Co., Agents.

SUBJECT—S. T. Johnson Low Pressure Air Equipment Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

Adjourned, 4:45 p. m.

EDWARD V. BARTON, Chief Clerk.

APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
Deming Fuel Oil Pump.....	298-31-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Enterprise Oil Pump.....	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Triplex Plunger.....	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Warren Oil Pump.....	1169-23-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Koerting Gear Pump.....	1264-25-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
A. B. C. Oil Burner.....	1295-24-SA	Fluid Heat Oil Burner.....	361-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Forsdraft Oil Burner	41-34-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Foster Oil Burner.....	715-26-SA
Air-Blast Oil Burner.....	579-32-SA	Franklin Domestic Oil Burner.....	560-26-SA
Alladin Oil Burner.....	298-26-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Alexander Oil Burner.....	65-28-SA	Fuelo Oil Burner.....	47-30-SA
Arcoil Heat Machine.....	632-26-SA		
Auto-Heat Oil Burner.....	284-33-SA		
Autocrat Oil Burner, Model B-1.....	297-31-SA		
		Gar Wood Oil Burner.....	373-30-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gar Wood Oil Burner, Model K and Model K-3500	481-32-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	General Electric Fuel Oil Burner.....	434-32-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Ghapco Steam Generator.....	348-31-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Berggren Oil Burner.....	764-26-SA	Gilbert & Barker Junior Flexible Flame Do- mestic Oil Burner	520-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Gill Oil Burner.....	1231-23-SA
Bettendorf Oil Burner.....	731-28-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Grant Oil Burner, Model "C".....	232-32-SA
Branford Oil Burner.....	36-31-SA	Gulf Oil Burner.....	382-26-SA
Branford Oil Burner, Model "A".....	461-32-SA		
Brighton Oil Burner.....	372-33-SA		
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Hardinge Oil Burner.....	813-25-SA
		Hardinge Oil Burner, Model 23.....	33-33-SA
Calorcoil Burner, Type AA.....	1361-24-SA	Harris Fuel Oil Burner.....	690-30-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Hart Automatic Oil Burner.....	1162-24-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Carborundum Burner	571-29-SA	Hayward Oil Burner	696-30-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Heatiator Oil Burner.....	1346-23-SA
Carter-Korth Oil Burner	54-30-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Century Oil Burner.....	157-28-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Hercules Oil Burner.....	510-29-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Cook's Automatic Oil Burner.....	955-27-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Homer Domestic Oil Burner.....	1211-25-SA
Crescent Oil Burner	222-29-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Crescent Type M Size I Oil Burner.....	592-31-SA		
Crown Oil Burner, Type XA.....	426-29-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Inferno Oil Burner.....	82-33-SA
		International Mechanical Draft Oil Burner...	372-30-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	International Oil Burner.....	1305-24-SA
D'Elia Oil Burner.....	155-31-SA		
Delco Heat Oil Burner.....	420-31-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
DeWalt Oil Burner.....	541-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Dist-o-matic Oil Burner.....	663-28-SA	Joyce Oil Burner.....	852-26-SA
Doe Oil Burner.....	317-31-SA		
Doherty Oil Burner.....	943-26-SA	K. F. C. Oil Burner.....	846-25-SA
		Kelco Oil Burner.....	237-33-SA
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA	Kelvinator Oil Burner.....	339-31-SA
Economy Oil Burner, Type A-1.....	45-31-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Eisler Automatic Oil Burner.....	481-27-SA	Kleen Heat Oil Burner.....	62-24-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Kleen Heat Oil Burner, Type "R".....	49-33-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Kreager Oil Burner.....	367-30-SA
Ember-Glo Oil Burner.....	462-32-SA	Kres-Kno Oil Burner.....	443-28-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA		
Enterprise Steam Atomizing Burner.....	15-33-SA	Laco Oil Burner, Model NL.....	670-30-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Espo Oil Gas Burner.....	1431-23-SA	Lange Economical Oil Burner.....	355-33-SA
Evenheet Oil Burner.....	554-32-SA	Lawrence May Oil Burner.....	1034-27-SA
Everedy Oil Burner.....	102-33-SA	Leader Oil Burner.....	425-31-SA
		Leiman Brothers Fuel Oil Burner.....	314-30-SA
Fairfield Oil Burner.....	584-31-SA	Liberty Automatic Heater.....	129-28-SA
Faultless Oil Burner.....	493-24-SA	Loneragan Automatic Oil Burner.....	208-33-SA
Florence Oil Heater, Model KC-9.....	62-33-SA		
Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
		M. W. Oil Burning Water Heater.....	737-29-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Magna Fuel Oil Burner.....	197-33-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Majestic Oil Burner.....	693-30-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Marr Oil Heat Machine.....	765-26-SA	Schulze Home Oil Burner.....	1487-23-SA
Master Fuel Oil Burner.....	350-32-SA	Scott-Newcombe Pioneer Oil Burner, Models C and CA.....	436-32-SA
Master-Kraft Oil Burner.....	83-33-SA	Security Oil Burner.....	56-28-SA
May Oil Burner.....	68-24-SA	Shepard Oil Burner.....	563-30-SA
May Oil Burner, Type BB.....	46-34-SA	Shill Oil Burner.....	315-30-SA
Mayfield Oil Burner.....	568-31-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Mayflower Oil Burner.....	124-29-SA	Silent Automatic Oil Burner.....	458-26-SA
McIlvane Oil Burner.....	544-29-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Merco Oil Burner.....	637-29-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morrissey Oil Burner.....	673-27-SA	Silent Glow Oil Burner, Model 1000.....	345-31-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Socony Arrow Oil Burner.....	1191-24-SA
Morse Fuel Oil Burner.....	820-23-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
Mousette Oil Burner.....	887-25-SA	Standadyne Oil Burner.....	34-34-SA
National Airoil High Pressure Burner.....	185-29-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
National Airoil Low Pressure Burner.....	186-29-SA	Stuhler Oil Burner.....	618-27-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Summerheat Oil Burner.....	581-26-SA
National Rotary Oil Burner.....	836-25-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
New Process Oil Burner.....	1071-27-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sun Heat Oil Burner.....	603-29-SA
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Nokol Automatic Burner.....	1078-24-SA	Sunway Oil Burner.....	624-30-SA
Nu-Way Oil Burner.....	773-26-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Oilbuilt Burner	85-33-SA	Superfex Oil Burning Heater.....	491-31-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Superfex Oil Burner, for Warm Air Furnaces.	400-32-SA
Oronoque Oil Burner.....	394-30-SA	Superheat Oil Burner, Model D.....	254-33-SA
Orr Fuel Oil Burner.....	113-26-SA	Sword Automatic Oil Burner.....	951-25-SA
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Petro Model T Oil Burner.....	451-31-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
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Petro Burner, Model O.....	78-28-SA	Todd Spiro Burner (pump type).....	94-32-SA
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Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	United States Oil Burner.....	620-28-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Universal Fuel Oil Burner.....	6-24-SA
Powerlight Oilheat Burner.....	628-23-SA	Vaporoil Burner	44-32-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	Vesta Oil Burner.....	451-26-SA
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Quaker Burnoil Stove.....	11-31-SA	Victory Oil Burner.....	320-30-SA
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Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Volcano Automatic Oil Burner.....	556-29-SA
Rayfield Oil Burner.....	504-26-SA	Volcano Automatic Oil Burner, Model EW-1	341-33-SA
Re-Ly-On Oil Burner.....	745-26-SA	Warner Oil Burner, Model A.....	16-34-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Wayne Oil Burner.....	1155-25-SA
Remington Oil Burner.....	891-26-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Williams Oil-o-matic Fuel Oil Burner, Williams Oil-o-matic, Jr., Models "K", "KA", "KB" and Model "JJ".....	918-22-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Rickard Oil Burner.....	1011-27-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Rotoflame Oil Burner.....	187-33-SA	Wizard Automatic Oil Burner.....	181-33-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	York Automatic Oil Burner.....	44-29-SA
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S & K Wide Range Fuel Oil Burner.....	10-33-SA		
S-K Oil Burner, Model F.....	369-33-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

Appliances Submitted for Approval.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

534-31-SA—Page Fuel Burner.

209-32-SA—Croker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner).

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

222-33-SA—Dowie Combination Anti-Syphon Valve.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

346-33-SA—Goodspeed Oil Burner Nozzle Type II.

349-33-SA—Herco Oil Burner.

369-33-SA—S-K Oil Burner, Model "F".

1-34-SA—Hager Silent Check Valve.

32-34-SA—Super Oil Burner for Pressing Machine.

33-34-SA—Tridex Cleaning Machine.

36-34-SA—Utility Oil Burner, Model A.

38-34-SA—Real Host Oil Burner.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

69-34-SA—Max Ashpes Pot Type Oil Burner.

75-34-SA—Liberty Pressure Oil Burner.

77-34-SA—Packard Fuel Oil Burner.

86-34-SA—Challenger Oil Burner, Model "A."

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

102-34-SA—Bock Oil Burning Water Heater.

105-34-SA—Kelvinator Oil Burner, Model K.

108-34-SA—Wheco Oil Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

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		Granted on condition.....	65
		Appliances approved	22
		Appliances dismissed, disapproved or withdrawn....	23
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
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Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	19	Requests for modification granted.....	1
Requests for extension of permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	6	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	19
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total.....	535	Requests for extension of permit granted.....	9
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Cases pending May 2, 1934.....	172	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	6
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	7
		Total.....	363

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1001 to 1015, Municipal Building, New York City.

Vol. XIX	Subscription \$2.50 a year	MAY 15, 1934	Single Copies, 5 cents By mail, 7 cents	No. 20
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, May 14, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, May 21, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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Court Decisions.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

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Minutes of Regular Meeting, May 8, 1934, at 2 P. M.

Approved Fireline Hose Valves.

Corrections.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Progress Report.

CALENDAR

DOCKET.

New Cases Filed up to May 9, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
124-34-SA.....	F.D.....	Alida Oil Burner, Appliance.
123-34-BZ.....	D.B.Bx....	West Side of Webster Ave., 157.93' North of East 236th St. (Block 3398, Lot 93), Bronx. N. B. 38-34.
122-34-A.....	D.B.B.....	7418 3rd Avenue (Block 5928, Lot 45), Brooklyn. 1954-LF.
121-34-BZ.....	D.B.Q.....	196-43 Northern Boulevard (Block 5373, Lots 14, 15 & 17), Auburndale, Queens. Plan No. 267-34.
120-34-A.....	D.B.M....	234 West 56th Street (Block 1027, Lot 56), Manhattan. 8150-F.
119-34-BZ.....	D.B.Q.....	23-11 & 23-13 37th Avenue (Block 346, Lot 42), Long Island City, Queens. Decision.

Restored to Calendar.

619-31-BZ.....	D.B.Q.....	148-16 to 148-26 111th Avenue, southwest corner of Sutphin Boulevard (Block 2745, Lot 26), Jamaica, Queens. N. B. 6095-31.
771-28-S.....	D.B.M....	558 Madison Avenue (Block 1291, Lot 56½), Manhattan. Decision.

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F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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Fuel Oil Burners for Industrial Use.....	Apr. 17, 1934—Vol. 19 No. 16
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Paint, Varnish and Lacquer Spray- ing Equipment	Apr. 17, 1934—Vol. 19 No. 16

COURT DECISIONS

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

Jane David Holding Corp. vs. Murdock et al.—Mr. Justice Steinbrinck—Board sustained. "Constitutionality of Section 21 is unquestioned." Feb. 21, 1933, Board dismissed for lack of jurisdiction application for gas station in business district on same block with school, under section 21. Cal. No. 68-32-BZ; Premises 1641-1649 Eastern Parkway, Northeast corner Hopkinson Avenue, Brooklyn. Appellate Division unanimously confirmed determination of Board. Court of Appeals affirmed App. Div. (N.Y.L.J. Apl. 28, 1934.)

In re Dempsey (Murdock)—Mr. Justice Cotillo—Board reversed. June 13, 1933, Board denied application for gas station in business district, under section 21, Cal. No. 105-33-BZ; premises 2101-2105 Williamsbridge road, northwest corner of Lydig avenue, The Bronx. Appellate Division reversed Special Term and sustained Board. (N.Y.L.J. Apl. 21, 1934.)

CALL OF CLERK'S CALENDAR

MONDAY, MAY 14, 1934, AT 2 P. M.

Building Zone Cases.

100-34-BZ.
APPLICANT—Samuels & Samuels, for Kariene Burke, owner.
PREMISES—Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

101-34-BZ.
APPLICANT—Andrew A. Marjey, for P.M.H. Holding Corp., owner.
PREMISES—Northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

107-34-BZ.
APPLICANT—Samuels & Samuels, for John Bauer Realty Co., Inc., owner.
PREMISES—248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,

CALENDAR

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

459-32-BZ.

APPLICANT—Mildred I. Hefter, owner.

PREMISES—Southeast corner of Merrick road and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of gasoline service station and also, a motor vehicle repair shop (reopened April 10, 1934).

MAY 15, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 15, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 1304-25-BZ—Application of Samuel Fish, on behalf of Samuel Berman, owner, reopened March 20, 1934, under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the change of occupancy of an existing building to a motor vehicle repair shop and, also, garage for five (5) motor vehicles; premises 2447 Coney Island avenue, east side, 301'1" north of Avenue V (Block No. 7343, Lot No. 61), Brooklyn.

CAL. NO. 27-34-BZ—Application, February 1, 1934, under section 21 of the building zone resolution, of Edward P. Doyle, applicant, on behalf of Henrietta Meinikheim, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 72-02 to 72-10 57th avenue and 57-05 to 57-15 Mazeau street, southwest corner (Block No. 2808, Lot No. 79), Maspeth, Borough of Queens.

CAL. NO. 65-34-BZ—Application, March 8, 1934, under section 21 of the building zone resolution, of Burke & Olsen, applicants, on behalf of Domenick Schirripa, owner, to permit in a business district the erection and maintenance of a refrigerating plant; premises 5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Brooklyn.

CAL. NO. 66-34-BZ—Application, March 8, 1934, under section 21 of the building zone resolution, of David L. Woodall, Jr., applicant, and owner, to permit in a residence district the erection and maintenance of a business building (stores); premises Southwest corner of Weeks avenue and East 175th street (Block No. 2796, Lot No. 31), The Bronx.

CAL. NO. 25-34-BZ—Application, January 29, 1934, under section 21 of the building zone resolution, of William Richter, applicant, on behalf of The Brooklyn Athletic Field, Inc., owner, to permit in a residence district the extension of an existing business building; premises 1196 Ocean parkway, northwest corner of Avenue L (Block No. 5495, part of Lot No. 1000), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MAY 15, 1934, 2 P. M.

Appeals from Administrative Orders.

57-34-A—52-55 74th street (Bldg. No. 6); (Block No. 1594, part of Lot No. 15), Maspeth, Borough of Queens.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

74-34-A—944-946 Halsey street and 881-893 Macon street (Block No. 1495, Lot Nos. 23, 25 and 55), Brooklyn.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

114-34-A—7010 13th avenue, southwest corner of 70th street (Block No. 6166, Lot No. 41), Brooklyn.

115-34-A—1374 Myrtle avenue, southwest corner of Harmon street (Block No. 3277, Lot No. 14), Brooklyn.

116-34-A—194 Grand street (Block No. 2393, Lot No. 19), Brooklyn.

103-34-A—123 West 64th street (Block No. 1136, Lot No. 24), Manhattan.

Petitions for Variations

87-34-S—599a-603 Fifth avenue (Block No. 1053, Lot Nos. 1 and 3), Brooklyn.

97-34-S—48-56 West 48th street (Block No. 1263, Lot No. 61), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 15, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 6-34-BZ—Application, January 17, 1934, under sections 7a, 7e and 21 of the building zone resolution, of Harry A. Yarish, applicant, on behalf of Allan A. Kurtz, owner, to permit in a business district the erection and maintenance of stables for more than five (5) horses; premises 507-511 Foster avenue, north side, 178'6 $\frac{3}{4}$ " west of Ocean parkway (Block No. 5427, Lot No. 53), Brooklyn.

CALENDAR

CAL. NO. 37-34-BZ—Application, February 10, 1934, under section 21 of the building zone resolution, of Archie H. Samuels, applicant, on behalf of Stiroco Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

CAL. NO. 49-34-BZ—Application, February 20, 1934, under section 7a of the building zone resolution, of H. I. Feldman, applicant, on behalf of David Nussdorf, owner, to permit in a residence district the alteration and extension of an existing building used in part for business use; premises 550-554 Bedford avenue northwest corner of Ross street (Block No. 2181, Lot No. 33), Brooklyn.

CAL. NO. 62-34-BZ—Application, March 6, 1934, under section 21 of the building zone resolution, of Henry C. Harrington, applicant, on behalf of Dagmar Matsen Clements, owner, to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, MAY 21, 1934, AT 2 P. M.

Building Zone Cases.

76-34-BZ.

APPLICANT—Arverne Bay Construction Company, owner.

PREMISES—1868-1890 Linden boulevard, southwest corner of Georgia avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

95-34-BZ.

APPLICANT—Edward P. Doyle, for Francesco Cassano, owner.

PREMISES—East side of Linden street (avenue), 50 ft. south of 34th avenue (Park place); (Block No. 4951, Lot No. 27), Flushing, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in an unrestricted district, the erection and maintenance of a baker shop and also the omission of the required rear yard.

96-34-BZ.

APPLICANT—Kennedy & Ellner, for Milfan Building Corporation, owner.

PREMISES—Northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in residence district and partly in a business district, the erection and maintenance of a gasoline service station.

MAY 22, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 22, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 7-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Henry C. Brucker applicant, on behalf of Salzi Homes, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

CAL. NO. 56-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joseph Cafiero, owner, to permit in a business district the erection and maintenance of a petroleum storage plant; premises 2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Brooklyn.

CAL. NO. 84-34-BZ—Application, March 30, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Koch and Wagner, applicants, on behalf of Lincoln Savings Bank, owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank); premises 7423-7427 Fifth avenue, northeast corner of Bay Ridge parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Brooklyn.

CAL. NO. 993-26-BZ—Application of Jacob A. Freedman, on behalf of Leo Schumer, owner, reopened March 27, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

CAL. NO. 528-31-BZ—Application filed October 28, 1931, under section 21 of the building zone resolution; granted under section 7f, March 18, 1932, on certain conditions; reopened May 1, 1934, for an extension of permit—re Application of Thomas

CALENDAR

O'Rourke Gallagher, on behalf of George W. Horr, owner, permitting in a business district the erection and maintenance of a gasoline service station; premises 70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 22, 1934, 2 P. M.

Appeals from Administrative Orders.

94-34-A—1959 Park avenue (Block No. 1780, Lot No. 1), Manhattan.

98-34-A—598 Broadway and 132 Crosby street (Block No. 511, Lot No. 15), Manhattan.

99-34-A—326-330 Broadway, 94-98 Worth street and 552 Pearl street (Block No. 157, Lot No. 4), Manhattan.

Petition for Variation.

91-34-S—536-538 West 20th street (Block No. 691, Lot No. 1), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 22, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 59-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution, of Maxwell H. Lanes, applicant, on behalf of Estate of Charles A. Peabody, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores); premises 94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Brooklyn.

CAL. NO. 28-34-BZ—Application, January 31, 1934, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Nac Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.

CAL. NO. 375-33-BZ.—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

CAL. NO. 35-34-BZ.—Application, February 9, 1934, under section 21 of the building zone resolution, of Samuel Roth, applicant, on behalf of Fannie Levy, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

CAL. NO. 68-34-BZ—Application, March 9, 1934, under section 21 of building zone resolution, of Irving Kirshenblit, applicant, on behalf of Sarah Feman, owner, to permit in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type); premises 384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Brooklyn.

CAL. NO. 73-34-BZ—Application, March 16, 1934, under section 21 of the building zone resolution, of Michael Levine, applicant, on behalf of Karron & Lieberman, Inc., owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station; premises 1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5" south of 20th avenue (Block No. 5464, Lot No. 15), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, MAY 28, 1934, AT 2 P. M.

Building Zone Cases.

81-34-BZ.

APPLICANT—Samuels & Samuels, for Girolomo Staropoli, owner.

PREMISES—196-08 Hillside avenue, south side, 50.42' east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

39-34-BZ.

APPLICANT—Hlavac & Dlouhy, for Little Neck Investors, Inc., owner

PREMISES—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to business use (restaurant).

118-34-BZ.

APPLICANT—Samuels and Samuels, for Robert Ward, owner.

CALENDAR

PREMISES—1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

418-31-BZ.

APPLICANT—McCabe and Hickey, for Gerwan Realty Co., Inc., owner.

PREMISES—1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened January 23, 1934).

MAY 29, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 29, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 1213-24-BZ—Application of Charles Schaefer, Jr., on behalf of T. & R. Construction Co., Inc., owner, reopened October 3, 1933, under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station; premises southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

CAL. NO. 78-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Cross Bay Theatre, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

MAY 29, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 29, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MAY 8, 1934.

IN MEMORIAM.

The citizens of the City of New York have suffered a great loss in the untimely passing of Comptroller W. Arthur Cunningham. I think it would be fitting to pause a moment before starting our morning session in respect for his memory.

HARRIS H. MURDOCK, *Chairman*.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross.

The minutes of the special meeting of the board held on Friday morning, April 27, 1934; the minutes of the regular meeting of the board held on Tuesday morning, May 1, 1934; and the minutes of the regular meeting of the Board held on Tuesday afternoon, May 1, 1934, were approved as printed in Bulletin No. 19, Vol. XIX.

BUILDING ZONE CASES.

375-33-BZ.

APPLICANT—Martin J. Ort, for Dandern Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), Borough of The Bronx.

APPEARANCES—

For Applicant: Martin J. Ort.

For Opposition: Lester A. Kent.

ACTION OF BOARD—Laid over to May 22, 1934, at 2 p. m., on request of present applicant.

35-34-BZ.

APPLICANT—Samuel Roth, for Fannie Levy, owner.

MINUTES

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit, partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

PREMISES AFFECTED—74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Borough of Manhattan.

APPEARANCES—
For Applicant: Samuel Roth.
For Opposition: Louis J. Felstiner.

ACTION OF BOARD—Laid over to May 22, 1934, at 2 p. m., on request of applicant.

68-34-BZ.

APPLICANT—Irving Kirshenblit, for Sarah Feman, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type).

PREMISES AFFECTED—384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Borough of Brooklyn.

APPEARANCES—
For Applicant: Irving Kirshenblit and Morris Feman.
For Opposition: None.

ACTION OF BOARD—Application laid over to May 22, 1934, at 2 p. m., for report of committee on inspection. No further argument.

73-34-BZ.

APPLICANT—Michael Levine, for Karron & Lieberman, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station.

PREMISES AFFECTED—1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 in. south of 20th avenue (Block No. 5464, Lot No. 15), Borough of Brooklyn.

APPEARANCES—
For Applicant: Michael Levine.
For Opposition: Jacob Kirschenbaum and Theodore Rose.

ACTION OF BOARD—Laid over to May 22, 1934, at 2 p. m., for report of committee of inspection. No further argument.

492-27-BZ.

APPLICANT—Levy and Berger, for Halward Realty Corp., owner.

SUBJECT—Application for modification of the resolution (re decision of the commissioner of buildings) to permit the erection of an additional structure, a one-story building to be occupied as an automobile showroom, this application previously granted under section 21 of the building zone resolution for the erection and maintenance of a gasoline service station (reopened April 17, 1934).

PREMISES AFFECTED—1134-1144 East New York avenue (Block No. 4600, Lot No. 7), Borough of Brooklyn.

APPEARANCES—
For Applicant: Joseph Levy.
For Opposition: None.

ACTION OF BOARD—Application withdrawn on request of applicant; without argument.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief
Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

327-33-BZ.

APPLICANT—Harold J. Crawford, for Nora Eberhardt, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building.

PREMISES AFFECTED—21-17 30th (Grand) avenue (Block No. 547, Lot No. 7), Astoria, Borough of Queens.

APPEARANCES—
For Applicant: Harold J. Crawford and Otis Eberhardt.
For Opposition: Harry T. Weeks and Mr. Bolte and others.

ACTION OF BOARD—Application dismissed for lack of jurisdiction.

THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief
Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—
(327-33-BZ)

WHEREAS, Harold J. Crawford, for Nora Eberhardt, owner, filed October 18, 1933, an application under the building zone resolution to permit the use of a driveway, partly in a business district and partly in a residence district, for access by trucks to a beer storage building; premises: 21-17 30th avenue (Grand avenue), (Block No. 547, Lot No. 7), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district map accompanying the building zone resolution show that 30th avenue (Grand avenue), is in a business district; that 29th avenue is in a residence district; that 21st street is in a business district; and that 23rd street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 8, 1933, re. Viol. No. 452-33, reads:

"You will please take notice that there exists a violation of the building code at the premises hereinafter described, in that

"Business trucks passing over residence district to get to own property in business district. Contrary to zone law.

"You are therefore ordered and directed by me to stop all work in connection with this operation until the law has been complied with.

"The building and premises to which this notice refers are situated on the rear of the lot on the north side of 30th avenue, commencing about 150 feet from the northeast corner of 21st street and known as number 21-17 Grand avenue."

and

MINUTES

WHEREAS, the premises consist of a plot of ground having a frontage of 25 ft. and a depth of 100 ft.; upon the front of the plot there is located a two (2) story dwelling; upon the rear of the plot there is located a one (1) story structure 22 ft. by 28 ft. in area used for the storage of cases of bottled beer between deliveries from the wholesaler to delivery to the retail trade. Along the center of the block (547) and extending from 21st street to 23rd street there is a 15 ft. wide driveway; driveway is used as a means of access to private garages located along same and at rear of dwellings; part of driveway is in the residence district and part is in the business district. This driveway is used by the delivery trucks of the wholesaler and also by trucks of owner who distributes the beer to the retailers; and

WHEREAS, it appeared from information received at the public hearing that the fee ownership to the passageway was in the abutting owners who owned to the center line of this passageway and whose property was respectively in the residence and business use districts; and

WHEREAS, the Board deemed that it had no jurisdiction in this matter as the applicant seeks a variance for property in ownership other than his own.

Resolved, that the application be and it hereby is dismissed for lack of jurisdiction.

130-33-BZ.

APPLICANT—Edgar J. Moeller, for H. Hermann & Sons, owners.

SUBJECT—Application for reopening—extension of time—re Application (decision of superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—401 East 60th street and 1102-1106 First avenue, northeast corner (Block No. 1455, Lot Nos. 1, 2 and 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Edgar J. Moeller.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent: Commissioner Peppe.....	1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(130-33-BZ)

WHEREAS, this application affecting premises 401 East 60th street and 1102-1106 First avenue, northeast corner (Block No. 1455, Lot Nos. 1, 2 and 3), Borough of Manhattan, was granted by the board July 5, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on July 5, 1933, be and it hereby is *amended*, only so far as it relates to the obtaining of permits and completion of work, so that as amended the clause in relation thereto will read:

"That all permits shall be obtained within 6 months and all work completed within one year from the date of this amended resolution."

201-33-BZ.

APPLICANT—Philip Steinman, for Alpine Service Corp., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—18-20 Flushing avenue, southeast corner of North Elliott place (Block No. 2027, Lot Nos. 23 and 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Maxwell Alperin.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent: Commissioner Peppe.....	1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(201-33-BZ)

WHEREAS, this application affecting premises 18-20 Flushing avenue, southeast corner of North Elliott place (Block No. 2027, Lot Nos. 23 and 24), Borough of Brooklyn, was granted by the board November 8, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on November 8, 1933, be and it hereby is *amended*, only so far as it refers to the obtaining of permits and completion of work, so that as amended the clause in relation thereto will read:

"That all permits shall be obtained within 3 months and all work completed within 9 months from the date of this amended resolution."

495-32-BZ.

APPLICANT—Michael Levine, for Navillus Realty Corp., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—122-13 to 122-21 Rockaway boulevard, northwest corner of 123rd street (Block No. 2512, part of Lot No. 7), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Michael Levine.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent: Commissioner Peppe.....	1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
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MINUTES

Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(495-32-BZ)

WHEREAS, this application affecting premises 122-13 to 122-21 Rockaway boulevard, northwest corner of 123rd street (Block No. 2512, Lot No. 7), South Ozone Park, Borough of Queens, was granted by the board January 23, 1934, on certain conditions, and applicant requests an amendment of these conditions.

Resolved, that the resolution adopted by the board on January 23, 1934, be and it hereby is *amended*, only so far as it refers to the brick wall to be constructed on the lot line along 123rd street to the corner of Rockaway boulevard, so that as amended this portion of the resolution will read:

"That there shall be erected on the balance of the lot line, where not covered by walls of accessory building on 123rd street to the corner of Rockaway boulevard, a brick wall faced on both sides with face brick to match that used on accessory buildings; that this wall may be 2 ft. in height, starting at the corner formed by the intersection of Rockaway boulevard and 123rd street for a distance of 25 ft., thence 4 ft. in height for the balance of the distance, approximately 60 ft.; that this wall shall be coped with a sloped coping; and that, other than as amended herein, the resolution adopted on January 23, 1934, shall be complied with in all respects."

351-30-BZ.

APPLICANT—Frank G. Colgan, for James Aquavella, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and conversion of a portion of a garage for more than five (5) motor vehicles (previously granted by the board), into a gasoline service station.

PREMISES AFFECTED—205-213 Rockaway avenue (Block No. 1442, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Lacerenza.

ACTION OF BOARD—Application reopened and time extended to complete work.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief
Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief
Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(351-30-BZ)

WHEREAS, this application affecting premises 205-213 Rockaway avenue (Block No. 1442, Lot No. 8), Borough of Brooklyn, was granted by the board May 2, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on May 2, 1933, be and it hereby is *amended*, only so far as it refers to the completion of work, so that as amended this clause will read:

"That in view of statement by applicant that permits have been obtained, the work shall be completed within one year from the date of this amended resolution, *on condition* that the resolution of May 2, 1933, shall be complied with in all respects other than as amended herein."

401-31-BZ.

APPLICANT—Charles Goodman, for Apperson Realty Corp., owner.

SUBJECT—Application for reopening—amendment and extension of time—re Application (decision of superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1-19 Fifth avenue, 622-628 Atlantic avenue and 623-627 Pacific street (Block No. 1119, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant—Charles Goodman.

ACTION OF BOARD—Application reopened and time extended and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief
Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE VOTE TO EXTEND TIME AND TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief
Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(401-31-BZ)

WHEREAS, this application affecting premises 1-19 Fifth avenue, 622-628 Atlantic avenue and 623-627 Pacific street (Block No. 1119, Lot No. 1), Borough of Brooklyn, was granted by the board December 18, 1931, amended October 31, 1933, on certain conditions, and applicant requests a further amendment and extension of time.

Resolved, that the resolution adopted by the board on December 18, 1931, amended October 31, 1933, be and it hereby is *reaffirmed and amended* in the following respects:

"That the time for obtaining permits and for completion of the work shall be extended for a period of two years from the date of this amended resolution and that during this interval two 550-gallon gasoline tanks may be installed and two pumps may be maintained, located where indicated on plans filed, marked 'received, September 28, 1933', not nearer than 15 ft. from the existing lunch wagon *on condition* that no gasoline will be sold other than to cars parked on the premises under appeal, for which this variance was granted, namely, plot 80 ft. by 100 ft., located at the corner formed by the intersection of Fifth avenue and Atlantic avenue; *on the further condition* that a permit for such parking shall be duly obtained and that the only entrance to the plot under appeal shall be from Atlantic avenue, by means of an existing curb cut, approximately 14 ft. in width."

202-30-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Porter Holding Corp., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the

MINUTES

erection and maintenance of a gasoline service station.

PREMISES AFFECTED—220-06 Northern boulevard, southeast corner of 220th street (Block No. 3213, part of Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Irving M. White.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief

Ross 4

Negative 0

Absent: Commissioner Peppe..... 1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief

Ross 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(202-30-BZ)

WHEREAS, this application affecting premises 220-06 Northern boulevard, southeast corner of 220th street (Block No. 3213, part of Lot No. 1), Bayside, Borough of Queens, was granted by the Board July 5, 1933 on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the Board on July 5, 1933, be and it hereby is *amended*, to read as follows:

"That there shall be constructed along the interior lot lines, a wall at least 6 ft. in height constructed of face brick or enamel brick and suitably coped; that this wall may start at a height of 4 ft. at the building line of Northern boulevard and be increased to the 6 ft. height at the rate of 1 ft. in 4; that the walls of the accessory buildings shall be faced with brick similar to this wall, except that the walls of the buildings on the interior lot lines may be constructed of common brick; that all accessory buildings shall be constructed toward the southeasterly portion of the premises under appeal and the rear walls may be incorporated as part of the lot line wall; that these accessory buildings shall be constructed of incombustible material not exceeding one story in height, except that the roof beams and roof boarding and doors may be of wood *on condition* that the ceilings throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals and the roofs surfaced with incombustible materials; that there shall be no open excavation under any of the buildings except for the pits of the greasing racks; that the greasing racks shall be installed within an accessory building with the fronts left open except that doors may be installed at the fronts of the greasing pits section *on condition* that there shall be installed and maintained at all times a motor driven fan under the floor of the greasing section exhausting by means of metal duct through the roof of the building; that the balance of the property, where not occupied by accessory buildings and by landscaping, shall be cement paved or covered with approved asphalt paving; that along the southerly lot line the interior lot line wall may be omitted *on condition* that there shall be banked planting maintained and that this planted area shall be protected at the foot by a stone wall not less than 1 ft. in height; that all gasoline pumps installed shall be erected not nearer than 10 ft. to the street building line; that these pumps shall be constructed with stone or masonry pedestals; that there shall be constructed along the Northern boulevard and 220th street build-

ing line a reinforced concrete or stone wall 12 inches in width by 12 inches in height with not over two openings therein from Northern boulevard and not more than one opening to 220th street; that these openings shall not exceed 25 ft. in width, with curb cuts opposite not over 30 ft. in width; that no part of any opening in the concrete curb shall be closer than 10 ft. to the intersection formed by Northern boulevard and 220th street; that any signs advertising non-conforming uses shall be limited to the illuminated globes of the gasoline pumps and to permanent signs attached to the facades of the accessory buildings, excluding all signs of a temporary nature; that no portable gasoline tanks shall be used on or from the property; that lights for illumination at nights shall be on standards with metal reflectors so placed as to reflect downwardly; that in view of statement by the applicant that permits have been obtained, all work shall be completed within six months from the date of this amended resolution."

CASES DISMISSED.

Under the Building Zone Resolution.

The chairman called attention to the following cases, where notices of intention to appeal were offered for filing; but where, despite notices from this office, papers have not been completed, thus tying the hands of the administrative official in the performance of his duty.

(30-34-BZ)

Filed February 5, 1934—Premises north side Nassau boulevard, 255 ft. west of Kissena boulevard (Block No. 2170, Lot No. 39), Flushing, Borough of Queens. Decision of commissioner of buildings. Applicant Helen G. Jantzen. Dismissed for lack of prosecution.

(70-34-BZ)

Filed March 14, 1934—Premises northwest corner of 73rd street and Grand avenue (Block No. 2507, Lot No. 68), Maspeth, Borough of Queens. Decision of commissioner of buildings. Applicant Robert F. Collyer. Dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief

Ross 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

WHEREAS, the foregoing applicants have filed with the Board of Standards and Appeals applications under the building zone resolution affecting the premises in question; and

WHEREAS, the applicants have failed to complete their papers though duly notified to do so.

Resolved, that the application be and they hereby are *dismissed for lack of prosecution*.

PETITION FOR VARIATION.

771-28-S.

PETITIONER—Brown, Wheelock, Harris & Co., Inc.

SUBJECT—Application for reopening—reconsideration, previously denied—re variation of the labor law as cited in decision of the superintendent of buildings.

PREMISES AFFECTED—558 Madison avenue (Block No. 1291, Lot No. 56½), Borough of Manhattan.

APPEARANCES—

For Petitioner: Joseph L. Hernon.

MINUTES

ACTION OF BOARD—Petition reopened and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(771-28-S)

WHEREAS, this petition, affecting premises 558 Madison avenue (Block No. 1291, Lot No. 56½), Borough of Manhattan was denied by the Board March 19, 1929, and October 28, 1930, and reopened by vote of the Board on request of Joseph L. Hernon, present petitioners on the basis of new facts presented; and

WHEREAS, the decision of the then superintendent of buildings, rendered August 13, 1930 (re certificate of occupancy applied for), reads:

"6. All windows in exterior walls must be fireproof, self-closing, and area of glass must not exceed 720 sq. in. per light.

"7. Building must be fireproof and comply with the provisions of Section 270, Labor Law.";

and

WHEREAS, the building is non-fireproof, seven stories in height, 32 ft. 5 in. by 77 ft. in area; OCCUPIED: 1st story, store, 11 persons; 2nd story, offices, 12 persons; 3rd story, beauty parlor and dressmaking, 7 persons 4th and 5th stories, dressmaking, 8 persons on each story; 6th story, dressmaking, 10 persons; 7th story, offices and dressmaking, 8 persons; EQUIPPED with a fire alarm signal system; EXITS: an interior iron stairway at first, sixth and seventh stories, wooden at second, third, fourth and fifth stories, extending from the first story to roof, enclosed in fire retarding partitions, with fireproof doors at openings an exterior iron stairway on the rear of the buildings, having fireproof openings along the course thereof, extending from the second story to the roof; a counterbalanced stair to yard level, with EGRESS from yard through adjoining premises at rear to 56th street; ROOFS of adjoining buildings: two stories lower at north and south; and

WHEREAS, the petitioner claims, as to Items 6 and 7, that the building is of brick construction, erected in 1878, altered to five stories in height in 1921, increased to seven stories in height in 1926; Certificate of Occupancy No. 11442 of 1926, was issued for store and office use; that they propose to install a sprinkler system throughout the stairhall, that a fire-drill system is maintained, that the

building is now provided with exterior fire escapes to which they propose to furnish a safe means of egress from the bottom termination through the property at 24 East 56th street, under the same ownership; that they propose to replace present front window frames and sash which are of wood with metal frames and sash glazed with ¼ inch plate glass.

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the Labor Law, and that the petition be and it hereby is granted, permitting the building to be used for a limited manufacturing occupancy in accordance with the requirements of the building zone resolution as to retail districts on condition that the main stairway located in the center of the building shall be enclosed throughout its height with approved fire-retarding partitions and with all openings to the stairway protected with fireproof doors opening in the direction of exit; that this fire-retarded enclosure shall extend directly to the street on the 1st floor; that this stairway shall be extended to the roof through an approved bulkhead; that the main stairway shall be not less than 44 inches at any part; that there shall be installed on the roof at parapet level, a tank with a capacity of not less than 1,000 gallons, fed from street pressure; that this tank shall be used exclusively for the supply of a sprinkler line, to be maintained within this stairway enclosure throughout its entire height and length, with a sufficient number of heads installed so that all parts of stairway and passage to street are adequately protected; that all windows on the Madison avenue front of the building, except below a height of 45 ft. shall comply with the requirements of the Labor Law that these windows may be glazed with plate glass and need not be self closing; that all windows on the rear and on side lot lines shall be fireproof and self-closing; that there shall be erected and maintained on the rear of the building a standard fire escape with balconies and connecting stairways, at all stories from the 2d to the 7th floors, with a stairway to the roof; that there shall be maintained on every floor, a door leading directly to the balcony fire-escapes; that there shall be constructed and maintained from this rear fire-escape at the second floor level a balcony connecting with a fire-retarded passageway through the building at No. 24 East 56th street, as indicated on plans filed, marked "received May 8, 1934," and that this second means of exit shall be maintained at all times during working hours; that the building shall be equipped with an approved interior fire signal alarm system; and that the posted load per superficial foot shall be not less than 60 lbs. on any floor; that the occupants per floor shall not exceed 15 persons above the street floor; that other than as modified herein and other than as to structural requirements the Labor Law shall be complied with in all other respects.

Adjourned, 1:00 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, May 8, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross.

BUILDING ZONE CASES.

14-34-BZ.

APPLICANT—John F. Meehan, for Isaac D. Reynolds, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—101-15 Astoria avenue, north-west corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Daniel Marshall and Isaac D. Reynolds.

For Opposition: Abraham S. Herz, Mrs. H. Horn-ing, Mrs. A. Plate.

ACTION OF BOARD—Laid over to May 29, 1934, at 2 p. m., for report of committee of inspection. No further argument.

619-31-BZ.

APPLICANT—James Kearney, for Estate of Israel Mil-ler, owner.

SUBJECT—Application for reopening—consideration un-der section 21—re Application (decision of the superintendent of buildings) previously granted under section 7-f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—148-16 to 148-26 111th avenue, southwest corner of Sutphin boulevard (Block No. 2745, Lot No. 26), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Irving Proskauer.

ACTION OF BOARD—Application reopened—restored to calendar, subject to the usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commission-ers Savage and Blum and Deputy Chief

Ross 4

Negative 0

Absent: Commissioner Peppe..... 1

27-33-BZ.

APPLICANT—Kennedy & Ellner, for Joseph Moss, owner.

SUBJECT—Request for reopening—reconsideration under new facts—re Application (decision of the super-intendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Spring-field boulevard and 115th avenue (Block No. 1949, Lot No. 1), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Clarence Leventhal.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross.. 4

Absent: Commissioner Peppe..... 1

389-33-BZ.

APPLICANT—Stewart Willey, for Marcelle S. Flint, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a factory building.

PREMISES AFFECTED—115-17 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Meyer Kraushaar and Robert Teichman.

For Opposition: Samuel Pflug.

ACTION OF BOARD—Application dismissed without prejudice.

THE VOTE TO DISMISS WITHOUT PREJUDICE—

Affirmative: Chairman Murdock, Commission-ers Savage and Blum and Deputy Chief

Ross 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(389-33-BZ)

WHEREAS, Stewart Willey, for Marcelle S. Flint, owner, filed December 29, 1933, an application under the building zone resolution to permit in a business district the change of occupancy of an existing building to a factory build-ing; premises: 115-117 Manhattan avenue, west side, 50 ft. north of Johnson avenue (Block No. 3060, Lot No. 19), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this applica-tion by the Board of Standards and Appeals, at its reg-ular meeting, May 8th, 1934, after due notice by publica-tion in the Bulletin of the Board of Standards and Ap-peals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Manhattan avenue is in a business district; that Johnson avenue is in an un-restricted and business district; and that Montrose avenue is in an unrestricted and business district; and

WHEREAS, the decision of the commissioner of build-ings, rendered December 18, 1933, re. Applic. No. 15224-1933, reads:

“Proposed change of occupancy from furniture store, dance hall and warehouse to light manufactur-ing in a four-story building located in a business use district, is contrary to article 2, section 4c of zone resolution;”

and

WHEREAS, the building is of non-fireproof construction, four stories in height, with a frontage of 25 feet and a depth of 98 feet, to be occupied as a factory building throughout; and

WHEREAS, in the opinion of the Board it would be diffi-cult, if not impossible to use more than 25 per cent. of the total gross floor space including cellar of this building for manufacturing purposes, if due allowance is made, when calculating the net space actually occupied for manu-facturing, for walls, stairs, halls, elevators, toilets and necessary passageways.

Resolved, that the application be and it hereby is dis-mitted without prejudice.

MINUTES

42-34-BZ.

APPLICANT—Jack Jacobson, for Emdee Management, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jack Jacobson, Abraham Sher, Benjamin H. Wickse.

For Opposition: Joseph M. Campbell.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross..	4
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(42-34-BZ)

WHEREAS, Jack Jacobson, for Emdee Management, Inc., owner, filed, February 14, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 389-395 Empire boulevard, northeast corner of Clove road (Block No. 1309, Lot No. 130), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Empire boulevard is in a business district, Clove road is in a business district, Malbone street is in a business district and New York avenue is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 25, 1934, re: Applic. No. 570-1934, reads:

"Proposed gasoline service station to be located in a business use district is contrary to article 2, section 4a of zone resolution";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 58 ft. 8 in. on Empire boulevard, 99 ft. 3 in. on Clove road and 61 ft. on Malbone street. Upon this plot are located two small one story buildings; a one story auto laundry 40 ft. by 14 ft. in area and also, several greasing lifts; it is proposed to install—on the Empire boulevard front of the plot—the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 42-34-BZ.

Premises: 389-395 Empire boulevard, northeast corner Clove road (Block No. 1309, Lot No. 130), Borough of Brooklyn.

The plot under appeal is located in a business district at the northeast corner of Empire boulevard and Clove road, extending through to Malbone street. Empire boulevard is a wide thoroughfare, Clove road is an old narrow paved road and Malbone street is an unsurfaced street. At present the premises under appeal are used for greasing and washing automobiles and the appeal is for a variance under section 21 to permit the sale of gasoline.

Twenty-eight objections from the adjacent property owners have been filed in opposition to the variance and also three consents, one only of which is adjacent, and this is from the adjoining owner to the east who operates an automobile accessory store with an automobile machine shop in the rear with entrance on Malbone street.

The committee in inspecting this site and the adjoining section on May 3, 1934, inquired as to this adjoining consenting owner and were told that this was a separate enterprise with no connection with the plot under appeal, but it was apparent that, considering the nature of this consentor's business, anything that would tend to bring more automobiles to this point would be a benefit to him.

The committee is of the opinion that, even though the objections have been filed apparently because of the opposition stirred up by a neighboring gasoline station, which is there by right having been established in 1923, prior to the amendment prohibiting gasoline stations in business districts, the adjacent owners who have so objected have valid reasons for doing so and that an additional gasoline station is not only not needed, there being three existing stations on Empire boulevard within a distance of 800 feet, but because this one would still further depreciate property values. Furthermore, there have been no practical difficulties or unnecessary hardship shown other than the present shortage of business which was formerly profitable. The plot is now being used for what has been considered a conforming use and is just as available for a conforming building as the plot nearby at 436 New York avenue where, after the Board under calendar No. 1147-25-BZ granted a variance for a garage, a conforming use in the form of a six story apartment building was erected instead.

There have been several other cases before the Board in this area, but particular notice should be taken of one, namely, No. 834-28-BZ, which was an application for a zoning variance under section 21 to permit a gasoline station on the northwest corner of Empire boulevard and Clove road. After public hearing, this application was denied and in a later review by the Court the denial of the Board was upheld, the Court stating that no evidence was submitted by the petitioner to substantiate the claim that there was unnecessary hardship. In the application now before the Board there has been no substantiating proof to justify the variance being granted. The condition of this plot and the one previously before the Board across Clove road are quite similar. In fact, the present site because of its additional frontage on Malbone street is, if anything, more adaptable to conforming use.

The committee recommends denial.

(Signed) HARRIS H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

CHARLES M. BLUM,

Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

44-34-BZ.

APPLICANT—Robert A. Schnepfer, for Annuncio Ambrosia, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building

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zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—137-02 to 137-10 Linden boulevard (114th avenue), southeast corner of Van Wyck street (boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Stephen K. Rapp and Annuncio Ambrosia.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Ross.. 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(44-34-BZ)

WHEREAS, Robert Schnepfer, for Annuncio Ambrosia, owner, filed February 15, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 137-02 to 137-10 Linden boulevard (114th avenue), southeast corner of Van Wyck street (Boulevard); (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a business and residence district, Van Wyck boulevard is in a business district and 138th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 26, 1934, re: Plan No. 78-1934, reads:

"The erection of a gas station in a business district is contrary to article 2, section 4 of the zoning law." and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Linden boulevard and 100 ft. on Van Wyck boulevard—upon which it is proposed to erect a one story office 18 ft. by 18 ft. in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a Committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 44-34-BZ.

Premises: 137-02 to 137-10 Linden boulevard, southeast corner Van Wyck street (Block No. 2785, Lot Nos. 7, 8, 9, 10 and 11), South Ozone Park, Borough of Queens.

The variance in this application is to permit a gasoline service station at the southeast corner of Linden boulevard and Van Wyck boulevard, South Ozone Park. Linden boulevard has not yet been widened to the proposed new width at this point and is generally zoned for residence use. Van Wyck boulevard has been widened to 100 ft. although not surfaced, and is zoned for business use. The entire section is generally developed with single family houses and neighborhood stores and it is apparent that temporarily further development is suspended. The stores are well rented with but two vacancies and the houses appear to be well occupied, although many of them are oc-

cupied by tenants instead of owners and there are some offered for rent.

It is apparent that some interested party has succeeded in obtaining a large number of consents to the proposed variance and the objectors are in the minority.

The committee inspected the section on May 3, 1934, and gave careful consideration to the area and are of the opinion that in spite of the contention that a gasoline station would light up the neighborhood and therefore be an improvement, to establish a gasoline station at this point will not be for the best interests of the area particularly of Linden boulevard, even though according to revised plans filed, the applicant has in mind erecting an attractive building. It appears that an effort has been made to obtain adequate street lighting and this station is urged by representative of a local civic organization as a means of obtaining light at night at this intersection.

Two of the corners are developed with stores. The other one and this corner under appeal are vacant and there is considerable vacant frontage along Van Wyck boulevard. Those who object to this variance are owners of some of this vacant frontage who contend that granting this station will retard development and depreciate the section. The most recent case in this general section was a little over one block away at the intersection of Lincoln avenue and 111th avenue where the Board denied a gasoline station permit and the decision of the Board was sustained by Mr. Justice Lockwood. There are no existing nonconforming uses except the gasoline station to the north just outside the area of notification, although there are signs of a business nature on some of the residential buildings in the residential area along Linden boulevard.

As to practical difficulties and unnecessary hardship, none has been shown or proven. The owner, like many others, is carrying vacant land. The carrying charges are burdensome and any use whether desirable or not that will carry the load is desired rather than await the return of conditions that will permit a resumption of construction.

The further improvement of Linden boulevard and the continuation of the subway through Van Wyck boulevard will greatly enhance this section which, in the opinion of the committee, should not be allowed to deteriorate by adding nonconforming uses in the meantime.

The committee can find no basis to justify the granting of this variance and recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the Board deemed that applicant had not substantiated his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

50-34-BZ.

APPLICANT—Adolph Goldberg, for North Shore Motor Sales Co., Inc.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7a, 7c and 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry.

MINUTES

PREMISES AFFECTED—153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Adolph Goldberg.

For Opposition: Edward S. Malone and George Bergen.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross.. 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(50-34-BZ)

WHEREAS, Adolph Goldberg, for North Shore Motor Sales Co., Inc., owner, filed February 21, 1934, an application under the building zone resolution to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and an automobile laundry; premises: 153-20 Northern boulevard, southwest corner of 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business district, 154th street is in a business and residence district, Roosevelt avenue is in a business and residence district and Murray street is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 19, 1934, re: Plan No. 88-1934, reads: .

"1. The erection of a gasoline station and an auto repair shop within a business area is contrary to article 2, section 4, subdivision 46, and so much of said uses which extend into a residence area in the addition to the creation of a laundry and office within a residence zone is contrary to article 2, section 3 of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 98 ft. 6 in. on Northern boulevard and 106 ft. 6 in. on 154th street—upon which are located two (2) one-story structures which are to be demolished. A small area—at the northern part—is in the residence district—the remainder of the plot is in the business district. Proposes to erect on part of the plot an irregularly shaped one-story structure; having a frontage of 58 ft. on 154th street, a distance of approximately 92 ft. along the south lot line and 65 ft. along the west lot line; to be occupied as an auto laundry, simonizing, store and office, lubritorium and auto repair shop; it is proposed, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 50-34-BZ.

Premises: 153-20 Northern boulevard, southwest corner 154th street (Block No. 5266, Lot Nos. 19 and 21), Flushing, Borough of Queens.

Located in a district zoned for business use, the plot under appeal is at the southwest corner of Northern boulevard and 154th street, Flushing. The frontage along Northern boulevard is 98 ft. and along 154th

street, 106 ft., slightly encroaching into the residential use area which is along Roosevelt avenue in the rear. On this plot there has existed for many years a one story cement block building which has been used at times as a garage, motor show room, motor vehicle repair shop and for car washing. At present the building is vacant except for the car washing in the rear. East of this building, but on the plot under appeal is a one story brick building originally built for a motion picture theatre, later used as a car storage building and show room, but in disuse since the widening of Northern boulevard in 1926. Across the front of the remnant of this building there are now advertising bill boards. While it is claimed that there have been permits issued to allow the sale of gasoline and automobile repairing in the past, the sale of gasoline was given up at the time a considerable frontage of property was taken for street widening and the repair permit expired in 1933, and has not been renewed.

It appears that the award by the City for land taken for street widening in 1926, was sufficiently large to offset the owner's entire investment, but since that time there has been considerable loss, not so much in the actual carrying charges, but due to interest on a new mortgage and loss in the conduct of a motor sales store business and that now there is due 1½ years taxes.

An opportunity has been presented to use these premises for a gasoline selling station and this application is for a variance to permit that use under sections 7-a, 7-c and 21 of the zoning resolution. 7-a does not apply because the purpose is to remove all existing buildings and erect new buildings and establish a new nonconforming use; 7-c does not apply because a gasoline station is a nonconforming use in both business and residence use districts. Under section 21, the applicant is required to show practical difficulties and unnecessary hardship before the Board can exercise its discretion to vary the law in harmony with its general purpose and intent so that public health, safety and general welfare may be secured and substantial justice done.

Along Northern boulevard adjacent to this site, the uses are generally conforming although there is a gasoline station on the westerly end of this same block and another across the street. Both these, however, were apparently established prior to the amendment to the Zoning resolution in 1925, prohibiting gasoline service stations in districts zoned for business use. Such applications as have been before the Board for nonconforming variances in the immediate section have been consistently denied or withdrawn. Of particular importance is the action of the Board on the opposite side of Northern boulevard at 155th street, where first under section 21 and later under section 7-f, applications for variance to permit a gasoline service station were denied. The latter denial under 7-f is now before the Court for review as to whether the section is undeveloped. The Board determined it was a developed area.

There appears no proof that there are practical difficulties or unnecessary hardships. The plot can be developed with a conforming use and should be so developed in keeping with the importance and character of this boulevard. There may be a temporary cessation of building, but from inspection the structures now in existence appear well rented without undue vacancies. Such vacant plots as are in the area, particularly the property across 154th street, whose owner objects to the proposed variance, will undoubtedly be built upon as soon as better conditions warrant. Meanwhile the area should not be deteriorated by establishing further nonconforming uses.

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The committee inspected this site and the area prior to the hearing and after the hearing a further inspection was made on April 26, 1934, and they recommend denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the Board deemed that applicant had failed to substantiate his basis of appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

607-31-BZ.

APPLICANT—Archie H. Samuels, for Ben S. Michaelson, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar February 6, 1934.)

PREMISES AFFECTED—Northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

APPEARANCES—

For Applicant: Milton Samuels.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Ross.. 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(607-31-BZ)

WHEREAS, Archie H. Samuels, for Ben S. Michaelson, owner, filed December 19, 1931; withdrawn April 26, 1932; reopened and restored to Calendar, February 6, 1934; an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Northeast corner of Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Rocky Hill road is in a business district, 239th street is in a residence district, 89th avenue is in a residence district and 240th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 8, 1934, re: Plan No. 5911-31, reads:

"1. It is contrary to the zone law to erect a gas station in a business district.

"Not further considered, article 2, section 4, subdivision 46.";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Rocky Hill road and 93.2 ft. on 239th street—upon which it is proposed to erect a one-story office 20 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 607-31-BZ.

Premises: Northeast corner Rocky Hill road and 239th street (Block No. 3837, Lot No. 1), Bellrose, Borough of Queens.

This application is for a variance of the zoning resolution brought under section 21 to permit the erection of a gasoline service station on a plot now vacant at the northeast corner of Rocky Hill road, known also as Braddock avenue, and 239th street, Bellrose. The frontages on both sides of Rocky Hill road are in a business use district, to the north and south of which are residence districts. Adjoining this corner plot, which is 100 feet on the main thoroughfare and 93 feet on the side street, is a store building with six stores apparently satisfactorily rented with the exception of one vacancy. On the west, across 238th street, there is a three-story building vacant and boarded up and which has apparently been in this condition for some time. The construction of these stores is inexpensive and the exterior wire lath and stucco is fast deteriorating and the cellars are wet. The committee of the Board in making an inspection of this section on April 26, 1934, found this condition which probably is responsible in part, at least, for their remaining vacant.

In the residential area to the north the side streets are solidly built up with one family houses, the owners of which, are among the thirty-three objectors to this variance.

Across Braddock avenue are private houses, many owners of which have filed objections, and lawns of residences of the older type, and one gasoline station which apparently was in operation for many years. This, however, is the only nonconforming use within the area of notification, but there are several stations along Braddock avenue to the west and east which should be ample for all requirements. Objectors stated at the hearing that they had a right to expect that the area in the business zone would be developed with conforming uses. To do this does not necessarily mean to erect stores. If, as the applicant claims, there are too many stores now, a residence building without stores would be a conforming use. It undoubtedly is a fact that no financing could be obtained for any new building in areas of this kind at the present time, but the Committee cannot agree that that condition is a proof of hardship and a justification for the Board to permit a nonconforming gasoline station adjoining and abutting a district of private homes. The existence of brick posts with urns at the entrance to 239th street at Braddock avenue, is evidence of some one's conception of the residential character to be maintained. It is inconceivable that a gasoline station was contemplated as part of that development.

In addition to the statement filed by the applicant giving the principal points of his appeal and his verbal presentation at the hearing, he has also filed at the hearing a brief which includes letters from real estate brokers and excerpts from Court decisions presumably intended to show that the Board cannot do otherwise than grant this application.

Reference to Court decisions in other cases have no place in the presentation of an application such as this before the Board. If the Board denies this application and its decision is brought up for Court review, then, at that time, it would be proper to call

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attention to Court decisions. The Board endeavors to follow and abide by decisions of the Courts as to the intent and meaning of the law but, as has been frequently stated, each case must be considered individually. The committee desires, however, to call attention to the reference to the St. Albans-Springfield case in the brief. In that case, Mr. Justice Crane stated "the zoning of *farm* lands is different from zoning of a city." The decision of the Court of Appeals was predicated on the St. Albans area being *farm land*, and that decision can have no application to a section so highly developed as the one in which the plot under appeal in this case is located. Reference is also made in the brief to the decisions of the Board in other cases in this part of the city. All of the cases referred to are either a considerable distance away or widely different conditions prevailed, or were before the Board prior to the development of this section, with the exception of the application at the northwest corner of Rocky Hill Road and 236th street, where the Board denied the appeal under calendar No. 691-30-BZ, after public hearing, but without inspection by a committee. Upon review by the Court, the Board was reversed. That station has, however, not been erected, and there were two other gasoline stations, presumably in existence prior to 1925, within 200 feet either side of that site. There appears to be no justification to the applicant's statement in his brief filed at the hearing "that the Board and the Supreme Court have already fixed the character of Rocky Hill road."

The committee can find no proof of practical difficulties or unnecessary hardship in this appeal. Like many others who are carrying vacant land during these unfavorable times, the owner is finding the carrying charges burdensome, but in the opinion of the committee there is no need for more stations in this area and, as stated in the *Werner vs. Walsh* case, it is the Board's duty to exercise regulation. From observation, the gasoline stations in that area are now struggling to keep in business and to add more will tend to hurt them further as well as to deteriorate the residential and business areas.

For these reasons, the Committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

353-33-BZ.

APPLICANT—Saul Goldsmith, for Ellen Martin, owner.
SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Opposition: Edward T. Post.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross..	4
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(353-33-BZ)

WHEREAS, Saul Goldsmith, for Ellen Martin, owner, filed, November 20, 1933, an application under the building zone resolutions to permit in a business district the erection and maintenance of a gasoline service station; premises: 407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sheepshead Bay road is in a business district, West 3rd street is in a business district and West 2nd street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 13, 1933, re Applic. No. 13620-33, reads:

"1. Proposed gasoline service station to be located in business use district is contrary to article 2, section 4a of zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 116 ft. 4 in. on Sheepshead Bay road and 130 ft. 6 in. on West 3rd street. There is a two-story frame dwelling on plot, which is to be demolished. Proposes to erect on the plot a one-story structure 25 ft. by 100 ft. in area, to be used as office, grease pits and auto laundry; and also proposes to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 353-33-BZ.

Premises: 407-417 Sheepshead Bay road, northeast corner of West 3rd street (Block No. 7275, Lot No. 7), Borough of Brooklyn.

This is an application for a variance to permit a gasoline service station at the northeast corner of Sheepshead Bay road and West 3rd street, Brooklyn, in a business district. The plot has a frontage of 116 ft. on the road and 130 ft. on West 3rd street and now is occupied by an old frame residence. Next door to the east is a four-story multiple dwelling. Sheepshead Bay road has been recently widened, although shown only 50 ft. wide on the plans filed with this appeal, which are, therefore, incorrect. There are twenty objections and no consents filed and those appearing at the hearing objected to any more non-conforming uses in this area. Having paid high assessments for street widening they desire to have the district develop with conforming uses according to the zoning.

There is already one gasoline station across the street in the next block west which has been in existence since prior to 1925 and the owner of this station cites that he can hardly pay expenses and objects strenuously to further competition.

The claim of unnecessary hardship in this case is mainly on the basis of the cost of carrying this prop-

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erty. Due to the mortgages, unpaid interest and taxes which about equal the assessed valuation, the owner is about to lose the property and now turns to a gasoline station use apparently as a last resort, as the applicant states the owner has no money to improve the property and is the subject of charity. Distressing as this condition is, the committee in inspecting the area on May 3, 1934, are of the opinion that no practical difficulties or unnecessary hardship within the meaning of the zoning resolution have been shown or proven to justify the variance being granted, particularly as this proposed non-conforming use would undoubtedly, as pointed out by the objectors, result in hardship and deterioration in the value and rentability of the adjoining properties.

It is of particular importance that the board should take cognizance of an application that was denied on the corner of the next block to the west under Cal. No. 335-28-BZ. In that application the width of Sheepshead Bay road was shown correctly as 80 ft. in width. After public hearing the application was unanimously denied and after court review the Appellate Division upheld the action of the board in denying the application, reversing the action of the lower court. Later a refusal of the board to reopen was subject also to court review and the board was sustained in its action. That location and the plot under appeal are less than 400 ft. apart and the plots are somewhat similar in size and location as well as in relation to adjoining properties.

The committee are of the opinion that this application should be denied and so recommends.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolutions.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed, and that the application be and it hereby is *denied*.

55-32-BZ.

APPLICANT—Benjamin Driesler, Jr., for Realty Associates, Inc., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under sections 7g and 21 of the building zone resolution, to permit in a business district the alteration and conversion of an existing building to a garage for more than five (5) motor vehicles and also, the installation of a gasoline service station.

PREMISES AFFECTED—128-138 Brighton Beach avenue, south side, 110.8 ft. west of Calm street (Block No. 7284, Lot No. 1726-B and part of Lot No. 1726), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Driesler, Jr.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(55-32-BZ).

WHEREAS, this application affecting premises 128-138 Brighton Beach avenue south side 110.8 ft. west of Calm street (Block No. 7284, Lot No. 1726B and part of Lot No. 1726), Borough of Brooklyn, was granted by the board April 1, 1932 on certain conditions and amended September 20, 1932, December 6, 1932 and May 31, 1933, and applicant requests a further amendment of the resolution; and

WHEREAS, the report of the committee of inspection, dated March 30, 1932, recommended the granting of this application under section 21, under certain conditions; and

WHEREAS, this application was granted by the board at its meeting of April 1, 1932, on certain conditions; and

WHEREAS, under date of September 20, 1932, the board approved plans submitted as complying with the resolution adopted April 1, 1932; and

WHEREAS, under date of December 6, 1932, at applicant's request, the resolution adopted April 1, 1932 was amended to permit the two upper stories to be continued as a public bath house, limiting the garage use to the ground floor only, under certain conditions, upon applicant's statement that it was impossible to finance the alterations required to convert the entire building to the garage use under the conditions imposed at that time; and

WHEREAS, the applicant now requests an amendment of the conditions in regard to the gasoline service station and the fences and walls required to be constructed in connection therewith; and

WHEREAS, the time within which permits were to be obtained and the work completed have been extended under resolutions adopted September 20, 1932 and December 6, 1932; and

WHEREAS, in view of statement by the applicant that all permits have been obtained, the board on May 31, 1933, further extended the time within which work is to be completed to May 31, 1934.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution under section 21 and that the application be and it hereby is *granted on condition* that the use of the three-story fireproof building now located on the southerly portion of the plot as a public garage be restricted to the ground floor, permitting the upper two stories to be continued as a public bath house; that the building shall not be increased in area beyond the existing dimensions, namely, approximately 185 ft. by 197 ft., nor in height beyond the present three stories; that the building shall be separated from any other structure by unpierced walls of approved masonry; that any openings in the garage portion to other structures in existing wall shall be closed up with approved masonry of the same thickness as the wall adjacent thereto, and any other openings to bath house portion shall be protected by approved fire doors; that there shall be no vehicular openings from the garage portion either to Calm street or to the sidewalk running parallel to the railroad right-of-way; that any openings from the garage portion to Calm street, other than windows which shall be of fireproof construction, glazed with wired glass, shall be confined to one emergency exit door not more than 3 ft. 8 in. wide; that the boiler room shall be separ-

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ated from the balance of the building by unpierced fireproof walls and ceiling, with no opening to boiler room except from the exterior of the building; that all exit stairways now existing, except the one which is located approximately in the center and which is to be removed between the first or ground floor and the second floor, shall lead through approved enclosures directly from the upper stories to the street or sidewalk along the railroad right-of-way, without openings in said enclosures into the ground or first story, to be used as a garage; that there shall be no openings of any nature between the ground or first story garage and the upper stories and any openings existing shall be blocked up with approved masonry to provide effective fire-stops; that the use of the ground floor as a garage shall be restricted to the public storage of automobiles of the pleasure car type, prohibiting the storage of taxi-cabs, trucks or busses; that no gasoline or other volatile or inflammable oil shall be stored or maintained in any part of the building, except in the racks of the automobiles parked within the building; that all vehicular openings to the garage portion shall be limited to two openings not over 12 ft. in width each in the northerly wall of the building; that other than as modified herein, the building shall be of fireproof construction throughout and in compliance with all laws, ordinances and regulations applicable thereto and to the uses herein permitted as a public garage on the ground floor and a public bath house on the second and third floors; that on the northerly portion of the plot under appeal, now vacant, there may be constructed and maintained a gasoline service station *on condition* that an open area at least 30 ft. in width shall be maintained at all times parallel to the northerly wall of the garage portion and for the full length of same; that the accessory building shall be constructed along the easterly lot line in width approximately 28 ft. and in length along the lot line approximately 61 ft.; that this accessory building shall be constructed of face brick and enameled brick with glazed terra cotta and non-corrosive metal trim; that this accessory building shall be used solely for office, accessories store, car greasing and washing; that there shall be no open excavation under this accessory building, except necessary pits for greasing lifts or racks; that there shall be no openings of any kind in the lot line wall of this accessory building to the premises adjoining to the east, except stationary fireproof windows glazed with wired glass; that the floor and roof construction and roof surfacing shall be of incombustible materials; that all windows shall be of metal frame and sash; that doors may be of wood; that the fronts of the greasing section shall remain open without enclosing doors; that no open flame shall be permitted on any part of the premises; that there shall be constructed from the northerly corner of the accessory building along the easterly lot line a continuous wall of face brick not less than 8 ft. in height to the street line of Brighton Beach avenue, except that this wall may start with a wall 4 ft. in height at the street line of Brighton Beach avenue and be graduated to the 8 ft. height at the rate of one foot in four; that a similar wall not less than 8 ft. in height shall be constructed from the southerly corner of the accessory building along the easterly lot line southerly to a point within 30 ft. from the garage; that thence easterly parallel to the garage building and 30 ft. therefrom to the street line of Calm street and thence along the street line of Calm street to the corner of the garage building, there shall be constructed a substantial iron fence with no openings therein except a gate not over 12 ft. in width; that this gate shall be kept locked and used for emergency purposes only as an exit direct to Calm street, the key to this gate to be kept in a glass faced metal box adjacent thereto; that along the westerly line between the gasoline service station area and the sidewalk, running parallel to the railroad right-of-way and

from the corner of the garage building to Brighton Beach avenue, there shall be constructed a fence consisting of piers constructed of face brick and fence sections of heavy iron pickets, this fence to be not less than 7 ft. in height; that all walls and piers shall be constructed of face brick, both sides, and properly coped with non-corrosive metal, stone or architectural terra cotta; that there shall be erected along the street line of Brighton Beach avenue a reinforced concrete curbing not less than 12 in. wide and 12 in. high, with not over two openings therein, each opening not to exceed 25 ft. in width, with curb cuts opposite, not over 30 ft. in width; that where not occupied by the accessory building, the entire gasoline service station area shall be cement paved including the 30 ft. passageway parallel to garage; that gasoline pumps erected shall not be nearer than 15 ft. to the street line of Brighton Beach avenue nor 25 ft. to the fence along the railroad right-of-way, nor within 10 ft. of any part of the accessory building; that no automobile repairing or brake testing shall be permitted on any part of the premises; that no parking of cars shall be permitted within the gasoline service station area or the passage parallel to the garage, except cars being serviced; that no portable gasoline pumps shall be maintained on or from the premises; that signs advertising non-conforming uses shall be restricted to the illuminated globes of the gasoline pumps and to permanent flat signs attached to the easterly and northerly facades of the accessory building; that any sign advertising the garage use shall be restricted to one electric projecting sign on the northerly facade of the garage building; that, other than as herein permitted, no signs permanent or temporary shall be displayed to advertise the non-conforming uses of the garage or gasoline service station and no roof signs shall be installed on the accessory building; that the adjacent premises to the east, under the same ownership, at the corner of Calm street and Brighton Beach avenue, shall be developed with conforming uses; that the sidewalk between these premises and the railroad right-of-way shall be maintained free of obstructions at all times for the use of the public; that this resolution supersedes and is in complete substitution for all resolutions previously adopted in connection with these premises; that, in view of all permits having been obtained, approval of amended plans shall be obtained within six months and all work completed within one year from the date of this amended resolution.

APPEALS FROM ADMINISTRATIVE ORDERS.

388-33-A.

APPELLANT—Arthur F. Keating, owner.

SUBJECT—Appeal from a decision of the fire commissioner—re Transportation and Sale of Volatile Inflammable Oil from Wagon Throughout the City.

APPEARANCES—

For Appellant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief

Ross 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(388-33-A)

WHEREAS, the appellant in the above appeal failed to complete his papers, although duly notified to do so.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

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85-34-A.

APPELLANT—Louis Allen Abramson, for Foltis Cafeteria, Inc., lessee.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—1491 Broadway, southwest corner of West 43rd street (Block No. 1014, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Appellant: Charles Glaser.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief

Ross 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(85-34-A)

WHEREAS, Louis Allen Abramson, for Foltis Cafeteria, Inc., lessee, filed, March 30, 1934, an appeal from a decision of the fire commissioner affecting premises 1491 Broadway, southwest corner of West 43rd street (Block No. 1014, Lot No. 36), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated March 22, 1934, reads:

"In answer to your letter of March 7, 1934, relative to approval of plans for the refrigerating system at 1491 Broadway, Manhattan, kindly be advised that since the plan of the proposed installation, which you submitted to this department does not conform to the provisions of chapter 10, section 219-B, we are therefore obliged to deny approval of said plans. For your further information, section 219-B reads as follows:

"S. 219 (b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes or both; when not carried above the first floor in business buildings; in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant; in the business section of a residence building when not carried above the first floor; in a residence building occupied by not more than two families; or in any building provided a non-irritant and non-inflammable refrigerant is used."

WHEREAS, the building is non-fireproof, 4 stories (42 ft.) in height, 20 ft. 5 in. by 80 ft. in area; OCCUPIED: cellar, storage and kitchen, 3 persons; 1st story, restaurant, 100 persons; 2nd story, restaurant, 75 persons; 3rd story, compressors, no occupancy; 4th story, no occupancy, located within a business district; and

WHEREAS, the appellant claims the alleged refrigerating system is only an air conditioning and air cooling system, consisting of two compressors of 21 tons total capacity, located on the 3rd story, with a total of about 10 pounds of Freon gas (known as F. No. 12 gas refrigerant) in the two coils; the coils are enclosed in a sheet metal compartment with metal ducts extending to cold air outlets in the ceiling of 1st and 2nd stories, the fresh air intake on 3rd story extends from the street to compressors with motor and fans installed to propel the air through the ducts; the appellant proposes to maintain the two top stories with no occupancy; furthermore, contends there is no dangerous condition created by the proposed installation.

Resolved, that the decision of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the proposed refrigerating units, consisting of two (2) compressors, Frigidaire or equivalent, each compressor having at no time more than ten (10) pounds of F-12 refrigerant, *on condition* that these compressors shall be located as indicated on plans filed with this appeal on the 3rd floor of this building, and that there shall be no access to this third floor except the scuttle as indicated, and that these compressors shall be used only for the cooling system with no refrigerant carried to any other part of building; and *granted only so long* as the two upper floors of these buildings shall remain unoccupied, other than for this refrigerating system; *on further condition* that the system at all times shall be in charge of a person familiar with its operation.

89-34-A.

APPELLANT—Ansonia Fire Prevention Engineering Co., Inc., for Goblet Realty Corp., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—214-222 West 26th street (Block No. 775, Lot No. 49), Borough of Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief

Ross 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(89-34-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Goblet Realty Corp., owner, filed March 31, 1934, an appeal from an order and a decision of the commissioner of buildings, affecting premises 214-222 West 26th street (Block No. 775, Lot No. 49), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated February 1, 1934, re: Order No. 9505-F, reads:

"1. Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other buildings and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at south side of building or other approved protection, as per section 375, article 18, chapter 5 of the Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated March 12, 1934, reads:

"In reference to your request to rescind Order No. 9505-F pending against the above premises and requiring as follows:

"Provide approved fireproof windows or iron shutters at all openings in the exterior wall above first story which are distant in a direct line less than thirty feet from any opening in any other building and not in the same plane with said openings and which are not more than fifty feet above a neighboring roof at south side of building or other approved protection, as per section 373, article 18, chapter 5, of the Code of Ordinances.

'You are advised that as this building exceeds forty feet in height, is occupied for business use and contains several unprotected window openings in the

MINUTES

south or rear wall in violation of section 375, chapter 5, Code of Ordinances, your request must be denied.'"; and

WHEREAS, the building is nonfireproof, 5 stories (64 ft., 8 in.) in height, 107 ft. 7 in. by 70 ft. in area; OCCUPIED; cellar, boiler room, dyeing furs, 6 persons; 1st story, shipping, 3 persons; 2nd story, dyeing furs, 20 persons; office, 10 persons; 4th and 5th stories, stretching furs, 15 persons each story; located within an unrestricted district; and

WHEREAS, the appellant claims there are 51 windows opening in the south wall of the building affected by the order; all openings of the buildings causing the exposure are fireproof, and the buildings are provided with adequate sprinkler systems; the two story building, 7 ft. 4 in. distant directly at rear, is entirely fireproof, with one fireproof door opening at 2nd story, under a common ownership, and used in conjunction with the business conducted on the premises under appeal; there is only one opening on 2nd story of the exposure building at east and nine openings in the fireproof exposure building at west; there is a sprinkler head within 2 to 4 feet of every window affected by the order; the sprinkler system is equipped with central office supervisory fire alarm; and two watchmen make hourly rounds at all times when the building is not in operation; under such conditions and occupancy the fire hazard is practically negligible; furthermore, the appellant contends the order is technical; the owner would suffer a great hardship if compelled to fireproof 51 window openings.

Resolved, that the order of the commissioner of buildings, No. 9505-F be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the sprinkler system in five-story building on front of lot shall be maintained in accordance with the Sprinkler Rules of the Board of Standards and Appeals that there shall be sprinkler heads maintained within a distance not exceeding 4 ft. from rear wall on all floors; that this sprinkler system shall be equipped with Central Office Supervisory Alarm and that a watchman service, making hourly rounds when building is not in operation, shall be maintained; that the two-story-and-cellar building in the rear shall continue in its present occupancy as a cold storage for furs, of fireproof construction and protected with a dry-valve sprinkler system; that all doors between the front and rear buildings shall be fireproof; and *granted so long* as conditions remain unchanged.

93-34-A.

APPELLANT—Sidney L. Strauss, for North River Savings Banks, lessee.

SUBJECT—Appeal from an order of the commissioner of buildings.

APPEARANCES—

PREMISES AFFECTED—682 Sixth avenue (Block No. 823, Lot No. 4), Borough of Manhattan.

For Appellant: Sidney L. Strauss.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief

Ross 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(93-34-A)

WHEREAS, Sidney L. Strauss, for North River Savings Bank, lessee, filed April 5, 1934, an appeal from an order of the commissioner of buildings affecting premises 682-6th avenue (Block No. 823, Lot No. 4), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated April 2, 1934, Order No. 10765-F, reads:

"1. Provide a tank on roof of at least 3,500 gallons capacity for the standpipe system, said tank to be elevated that the bottom will be not less than 20 ft. above the roof level. Section 520-1, Ch. 5, Code of Ordinances."

and

WHEREAS, the building is fireproof, 8 stories (96 ft. 6 in.) in height, 24 ft. 3 in. by 95 ft. in area; OCCUPIED: as a tenant factory, not more than 18 persons per story; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected in 1897, equipped with a standpipe system, fed from a 1,750-gallon gravity tank used solely for standpipe purposes, the bottom of which is 8 ft. 8 in. above the highest hose outlet; the existing standpipe system was installed prior to the adoption of the standpipe rules and has functioned satisfactorily during the past 37 years; the installation of a new tank and structure at this time would put the owner to considerable expense; furthermore, the appellant contends the present water supply is adequate.

Resolved, that the order of the commissioner of buildings, No. 10765-F, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the standpipe tank to remain at its present height, *on condition* that the bottom of the tank shall not be less than 8 ft. above highest hose outlet; that the nozzle of the hose on top-floor shall be reduced to 1/2-in. diameter; that the standpipe tank shall have a capacity for standpipe service of not less than 2,000 gallons and that the requirements of Rule 91 of the Standpipe Fire Line Rules shall be complied with in all respects other than as modified herein.

PETITIONS FOR VARIATIONS.

87-34-S.

PETITIONER—I. L. Crausman, for Ellaner Realty Co., owner.

SUBJECT—Petition for variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—599a-603 Fifth avenue (Block No. 1053, Lot Nos. 1 and 3), Borough of Brooklyn.

APPEARANCES—

For Petitioner: I. L. Crausman.

For Administration: None.

ACTION OF BOARD—Laid over to May 15, 1934, at 2 p. m., board to make inspection, and petitioner to obtain new objections from commissioner of buildings.

91-34-S.

PETITIONER—Young Men's Christian Association of the City of New York, owner.

SUBJECT—Petition for variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—536-538 West 20th street (Block No. 691, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Petitioner: None.

For Administration: Inspector Maher, of department of buildings.

ACTION OF BOARD—Laid over to May 22, 1934, at 2 p. m., upon written request of petitioner's representative.

61-34-S.

PETITIONER—General Neon Tube Corp., lessee.

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SUBJECT—Petition for variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—91-95 Harrison place (Block No. 2998, Lot No. 45), Borough of Brooklyn.

APPEARANCES—For Petitioner: Richard P. Charles.
For Administration: None.

ACTION OF BOARD—Petition granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(61-34-S)

WHEREAS, General Neon Tube Corp., lessee, filed March 5, 1934, a petition for a variation from the requirements of the Labor Law as cited in an order of the commissioner of buildings affecting premises 91-95 Harrison place (Block No. 2998, Lot No. 45), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated August 18, 1933, Re Order No. 017OLD, reads:

"An inspection of premises 91-95 Harrison place, Borough of Brooklyn, shows that the following must be done to comply with the Labor Law.

"Arrange iron bars on windows on south, east and west sides of 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purpose of egress as per section 272 of the Labor Law."

WHEREAS, the building is nonfireproof, one story in height, 45 feet by 95 feet in area; OCCUPIED: cellar, furnace; 1st story, office and factory for manufacture of electric signs, 17 persons; located within an unrestricted district; EQUIPPED with a sprinkler system and a fire alarm signal system; EXITS: an iron ladder to roof scuttle, four doorways, one on each side of the building leading to yard, side courts and to street; and

WHEREAS, the petitioner has filed plans indicating a total of 25 windows covered by fixed iron bars; 5 of the windows open to street, 10 windows open to a court at each side of the building; and

WHEREAS, the petitioner claims the barred windows are a protection against robbery; vandalism is very rife at the present time; the premises have been broken into twice and considerable damage done irrespective of the bars; if compelled to remove the bars the building would be an open house for thieves to enter; the barred windows have existed during the past 26 years, they were constructed when the building was erected about 1908; the building and premises are kept in an orderly manner and under supervision at all times; furthermore, the petitioner contends the building is provided with adequate means of exits in case of fire and the articles manufactured are of non-combustible nature.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the Labor Law and that the petition be and it hereby is granted, permitting the iron bars to remain on the windows as indicated, *on condition* that there shall be maintained at all times during working hours exit doors, as indicated on the plan, one to the east and one to the west and one at the rear, opening on courts leading directly to the street, and that the doors indicated as opening directly to street at front of building shall also be maintained; and that the requirements of the Labor Law shall be complied with in all other respects.

APPLIANCES SUBMITTED FOR APPROVAL.

38-34-SA.

PETITIONER—Harry C. Weiskittel Co., Inc., owner;
John R. Parr, agent.

SUBJECT—Real Host Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(38-34-SA)

WHEREAS, John R. Parr, agent for Harry C. Weiskittel Co., Inc., owner, filed February 13, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Real Host Oil Burner, and;

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the mechanical atomizing gun type and consists of the following parts:

Century 1/6 H. P. motor, driving a blower; Webster fuel unit consisting of pump, strainer, regulating and cut-off valve and Monarch nozzle.

Ignition—Electric. Webster transformer 110-10,000 volts.

Controls—Minneapolis Honeywell Protector-relay, Type R-117-S and Minneapolis Honeywell Pressure-trol.

The burner was operated with the oil supply shut off and cold combustion chamber, and on two successive tests the safety controls shut the motor down in 90 seconds. Examination of the combustion chamber showed no undue carbon deposits, and during the period of test there were no flare backs or puffs. The flame of the burner when in operation was clear and free of soot and smoke.

I therefore recommend that the Real Host Oil Burner be approved for domestic installation when installed in accordance with the rules of the Board of Standards and Appeals.

This burner has been approved by the Underwriters Laboratories Guide No. 300.10.4. File M. P. 933.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Real Host Oil Burner, for use in domestic installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

75-34-SA.

PETITIONER—David Kaufman, for Liberty Research Laboratories, Inc.

SUBJECT—Liberty Pressure Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustion, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(75-34-SA)

WHEREAS, David Kaufman, for Liberty Research Lab-

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oratories, Inc., owner, filed March 17, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Liberty Pressure Oil Burner, and;

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner consisted of a G. E. 1/6 H. P. motor, driving a Sirocco type blower, manufactured by the Liberty Research Laboratory, Inc.

Ignition—Electric. Webster transformer 110-10,000 volts;

Webster fuel unit consisting of pump, strainer, regulating and cut-off valve; Monarch nozzle.

Controls—A Penn pressure switch type "J" and a Penn Heat control, CR-7873-D-1, manufactured by the General Electric Company.

The burner was operated with a cold combustion chamber and with the oil supply cut off. The Penn heat control, which is equipped with a telechron timing device, shut the burner down after running 25 seconds. After a lapse of 10 seconds, the burner was started again automatically and run for 25 seconds, and the control again shut it down. This was repeated five times, with the same interval of time intervening between each starting and stopping of the burner. At the end of the fifth series, the burner then had to be reset by hand in order to operate again.

I therefore recommend that the Liberty Pressure Oil Burner be approved for domestic, industrial and commercial installations, when installed in accordance with the Fuel Oil Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Liberty Pressure Oil Burner, for use in domestic, commercial and industrial installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

369-33-SA.

PETITIONER—S.-K Company, Inc., owner.
SUBJECT—S-K Oil Burner, Model F, approval of.
APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(369-33-SA)

WHEREAS, S-K Company, Inc., owner, filed, December 7, 1933, a petition with the Board of Standards and Appeals for approval of the device known as the S-K Oil Burner, Model F; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and the device was approved for use in domestic installations and petitioner requested an amendment of the resolution to include commercial and industrial uses; and

WHEREAS, the device was again referred to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The burner is identical with the burner described in report of January 24, 1934, submitted to Mr. Murdock, chairman of the Board of Standards and Appeals, for its approval in domestic installations.

The burner installed at these premises for commercial use differs in no respect from that which the undersigned had tested and approved on above date.

Therefore, we recommend that the S-K Oil Burner, Model "F", be approved for industrial and commercial use, when installed in accordance with the provisions of the Fuel Oil Rules adopted by the Board of Standards and Appeals.

We further invite your attention to the fact that this oil burner has been approved by the National Board of Fire Underwriters on September 9, 1933. Underwriters file, M. P. 231, Guide No. 300-10-4.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the S-K Oil Burner, Model F, for use in domestic, commercial and industrial installations when installed in accordance with above reports and the Fuel Oil Rules of the Board of Standards and Appeals.

Adjourned, 4:15 p. m.

EDWARD V. BARTON, Chief Clerk.

APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

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CORRECTION*

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday, April 10, 1934, as they appeared in Bulletin No. 16, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(364-33-BZ)

WHEREAS, Joseph S. Gerslman, for Maphi Realty Co., Inc., owner, filed, December 5, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a motor vehicle repair shop and also a gasoline service station; premises: northeast corner of Hillside avenue and Chelsea road (187th street) (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1934, at 2 p. m., after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hillside avenue is in a business district; 87th drive is in a residence district; Chelsea road is in a residence district and 187th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 3, 1934, re Plan No. 1729, reads:

"1. The erection of a gasoline service station and a motor vehicle repair shop within a business district is contrary to section 4, subdivision 29a of the zone resolution. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. on Hillside avenue and 100 ft. on Chelsea road, upon which it is proposed to erect a one-story structure, 80 ft. by 25 ft. in area to be used as office, grease pits and motor vehicle repair shop and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was

**Correction—Words "meeting, April 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals;" omitted in lines 16 and 17 of resolution and words "business district; 87th drive is in a residence district; Chelsea road is in a residence district and 187th street is in a residence district; and" substituted.*

CORRECTION*

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday, April 3, 1934, as they appeared in Bulletin No. 15, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(13-34-A)

WHEREAS, Circle Dance Land, for Reisenweber's, Inc., Lessee, filed, January 22, 1934, an appeal from an order of the fire commissioner, affecting premises 985 8th avenue (Block No. 1048, Lot No. 33), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated January 3, 1934, reads:

**Correction—Words 'person holding a certificate of fitness' omitted in last two lines of resolution and words 'competent person informed as to the operation of the refrigerating equipment' substituted.*

made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 364-33-BZ.

Premises: Northeast corner of Hillside avenue and Chelsea road (187th street) (Block No. 1007, Lot No. 23), Jamaica, Borough of Queens.

This is an application for a zoning variance to permit a gasoline station and a motor vehicle repair shop on a plot 100 ft. by 120 ft., in a business use district at the northeast corner of Kent road, formerly known as Chelsea road and Hillside avenue, Borough of Queens. The property north of the business area of Hillside avenue is zoned for residence and is well built up, while the frontage along Hillside avenue immediately to the east and west is largely vacant.

There is a gasoline station at the other end of the same block to the east which station has apparently been in existence since 1916, according to the information obtained from the Bureau of Combustibles of the Fire Department and the station to the west opposite 185th street, located within the abandoned road bed of Dalney road, apparently was in use prior to 1925.

On the opposite corner of Kent road, under Cal. No. 524-32-BZ, an application was filed for a gasoline station but was withdrawn after a report was read by a committee of inspection recommending that the application be denied. This action was on December 16, 1932, and the conditions are substantially similar at this time.

In the opinion of the committee, which inspected this property on March 29, 1934, no hardship or practical difficulties have been proven and whatever may exist are of a financial nature, due to the carrying of vacant land. Many objectors are owners of vacant property adjacent on Hillside avenue and the owners of frame dwellings immediately in the rear. There have been no consents filed and the committee recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.

VINCENT C. PEPPE,
CHARLES M. BLUM,
BERNARD A. SAVAGE,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had not substantiated the basis of his application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

"In response to the request made in this office, be advised that the fire department does not re-issue an order so that it may be taken to the Board of Standards and Appeals when the twenty-day time limit in order to make the appeal has expired.

"However, order numbered 70415-LC, issued against the refrigerating plant maintained by the Circle Danceland at the above location, reads as follows, and must be complied with:

"1. Remove or cut off the refrigerating system from the building or parts of the building, by unpierced fireproof construction, as per section 219-f, chapter, 10, code of ordinances.

"2. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room in accordance with the requirements of section 220-2-d of chapter 10, code of ordinances."

and

WHEREAS, the building is of fireproof construction, 3

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stories in height, 50 ft. by 120 ft. in area; OCCUPIED: 1st story, theatre, 520 seats; 2nd story, dance hall, 3rd story, meeting room; and

WHEREAS, the appellant claims as to item 1, that the refrigerating machinery room is located in the adjoining fireproof building at north, having a communicating opening protected by two automatic fire doors (one on each side of the wall) on 2nd story; the refrigerating machinery room contains a unit with less than 20 pounds of Dichlorodifluoromethane, a compressor and water condensing system; there is a 1/4 in. copper flow pipe extending through the party wall and to the soda counter in the building under appeal, where it circulates through three sets of coils for freezing ice cream, keeping ice water and food, and a 1/4 in. copper return pipe to the machine room; the copper pipes are protected by an outer sleeve from damage; the refrigerating machinery room is separated from the rest of the fireproof building in which it is situated by fireproof walls, floors and ceiling and by a fireproof stairway leading up and down to fireproof doors opening to other parts of the buildings; as to item 2, the refrigerating machinery room is ventilated by means of two windows, each about 3 ft. x 5 ft. opening to an interior disused dumbwaiter shaft extending up to roof; however, the appellant proposes to provide mechanical means of ventilation by installing a 1/4 H.P. motor, a metal air duct 8 in. in diameter, extending to outer air, capable of discharging more than 150 cubic feet of air per minute; furthermore, the appellant contends that under such conditions no dangerous hazard would exist; the lessee would

suffer an unnecessary hardship if forced at this time to incur additional expense.

Resolved, that the order of the fire commissioner, No. 70415-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the refrigerating room, where indicated, shall be enclosed in fireproof material from floor to ceiling with a fireproof door made vapor-tight; that the openings from the refrigerating room to the airshaft shall be sealed tight; that there shall be constructed a metal duct from the refrigerating room up the airshaft to a point at least 3 ft. about the roof, this metal duct to be vapor-tight and not less than 64 sq. ins. in horizontal area and opening into the refrigerating room at a point not less than 1 ft. above the floor and with a case enclosed exhaust fan attached thereto, with a capacity of not less than 250 cubic feet of air per minute, this exhaust fan to be controlled by a switch placed on the exterior of the refrigerating room partition; that the copper tubing from this refrigerating room to and from the soda counter shall be enclosed in rigid metal sleeves with tight connections at all points; that there shall be installed in the opening between the second floor and the section of the adjoining building in which the refrigerating room is located, double approved underwriters fire doors; and that there shall be at no time more than 20 pounds of refrigerant in use, that the equipment shall at all times be under the charge of a competent person informed as to the operation of the refrigerating equipment.

APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
Deming Fuel Oil Pump.....	298-31-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Enterprise Oil Pump.....	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Triplex Plunger.....	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Warren Oil Pump.....	1169-23-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Koerting Gear Pump.....	1264-25-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Franklin Domestic Oil Burner.....	560-26-SA
Air-Blast Oil Burner.....	579-32-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Alladin Oil Burner.....	298-26-SA	Fuelo Oil Burner.....	47-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner.....	373-30-SA
Arcoil Heat Machine.....	632-26-SA	Gar Wood Oil Burner, Model K and Model K-3500	481-32-SA
Auto-Heat Oil Burner.....	284-33-SA	General Electric Fuel Oil Burner.....	434-32-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Baker Automatic House Heating Burner....	1323-22-SA	Ghapco Steam Generator.....	348-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Gill Oil Burner.....	1231-23-SA
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Bettendorf Oil Burner.....	731-28-SA	Grant Oil Burner, Model "C".....	232-32-SA
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Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner.....	813-25-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
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Carboradiant Oil Burner, Model VSS.....	49-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
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Carter-Korth Oil Burner	54-30-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
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Electrol Automatic Oil Burner and Model BB	259-25-SA	Lawrence May Oil Burner.....	1034-27-SA
Ember-Glo Oil Burner.....	462-32-SA	Leader Oil Burner.....	425-31-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Liberty Pressure Oil Burner.....	75-34-SA
Espo Oil Gas Burner.....	1431-23-SA	Loneragan Automatic Oil Burner.....	208-33-SA
Evenheet Oil Burner.....	554-32-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
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APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Majestic Oil Burner.....	693-30-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
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May Oil Burner, Type BB.....	46-34-SA	Shepard Oil Burner.....	563-30-SA
Mayfield Oil Burner.....	568-31-SA	Shill Oil Burner.....	315-30-SA
Mayflower Oil Burner.....	124-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
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Merco Oil Burner.....	637-29-SA	Silent Automatic Burner, Model "E".....	710-30-SA
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Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Glow Oil Burner, Model 1000.....	345-31-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
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Moto-Heat Oil Burner.....	195-32-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
Mousette Oil Burner.....	887-25-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Standardyne Oil Burner.....	34-34-SA
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National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Stuhler Oil Burner.....	618-27-SA
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Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sun Heat Oil Burner.....	603-29-SA
Nokol Automatic Burner.....	1078-24-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Nu-Way Oil Burner.....	773-26-SA	Sunway Oil Burner.....	624-30-SA
Oilbuilt Burner	85-33-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Superfex Oil Burning Heater.....	491-31-SA
Oronoque Oil Burner.....	394-30-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Orr Fuel Oil Burner.....	113-26-SA	Superheat Oil Burner, Model D.....	254-33-SA
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Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victory Oil Burner.....	320-30-SA
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Rayfield Oil Burner.....	504-26-SA	Volcano Automatic Oil Burner.....	556-29-SA
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Remington Oil Burner.....	891-26-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
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		Plans approved	6
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		Administrative requests denied or withdrawn.....	0
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WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 21

DIRECTORY

BOARD OF STANDARDS AND APPEALS

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OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, May 21, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, May 28, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

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130-34-BZ.....	D.B.M....	52 West 54th Street (Block 1269, Lot 70), Manhattan. Alt. Applic. 939-34.
129-34-A.....	F.D.....	1600 Broadway (Block 1020, Lot 29), Manhattan. 3272-LC.
128-34-SA.....	F.D.....	Bastian - Morley Oil Burner, Model M (Kero Water Heater), Appliance.
127-34-BZ.....	T.H.D....	288-290 W. 92nd Street (Block 1239, Lot 56), Manhattan. Viol. Tenement House Dept.
126-34-BZ.....	D.B.B....	609 Snediker Avenue (Block 3851, Lot 1), Brooklyn. Viol. 478-34.
125-34-SA.....	F.D.....	American Oil Burner, Appliance.

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510-32-BZ.....	D.B.Q....	Northwest Corner of Rockaway Blvd. and Van Wyck Blvd. (Block 2558, Lots 1 and 3), South Ozone Park, Queens. Decision.
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CALL OF CLERK'S CALENDAR

MONDAY, MAY 21, 1934, AT 2 P. M.

Building Zone Cases.

76-34-BZ.	APPLICANT—Arverne Bay Construction Company, owner.
	PREMISES—1868-1890 Linden boulevard, southwest corner of Georgia avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a residence district the erection and maintenance of a gasoline service station.
95-34-BZ.	APPLICANT—Edward P. Doyle, for Francesco Cassano, owner.
	PREMISES—East side of Linden street (avenue), 50 ft. south of 34th avenue (Park place); (Block No. 4951, Lot No. 27), Flushing, Borough of Queens.
	APPLICATION, under sections 7c and 21 of the building zone resolution,
	TO PERMIT partly in a residence district and partly in an unrestricted district, the erection and maintenance of a baker shop and also the omission of the required rear yard.
96-34-BZ.	APPLICANT—Kennedy & Ellner, for Milfan Building Corporation, owner.
	PREMISES—Northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT partly in residence district and partly in a business district, the erection and maintenance of a gasoline service station.

CALENDAR

MAY 22, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 22, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 7-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Henry C. Brucker applicant, on behalf of Salzi Homes, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

CAL. NO. 56-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joseph Cafiero, owner, to permit in a business district the erection and maintenance of a petroleum storage plant; premises 2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Brooklyn.

CAL. NO. 84-34-BZ—Application, March 30, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Koch and Wagner, applicants, on behalf of Lincoln Savings Bank, owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank); premises 7423-7427 Fifth avenue, northeast corner of Bay Ridge parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Brooklyn.

CAL. NO. 993-26-BZ—Application of Jacob A. Freedman, on behalf of Leo Schumer, owner, reopened March 27, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

CAL. NO. 528-31-BZ—Application filed October 28, 1931, under section 21 of the building zone resolution; granted under section 7f, March 18, 1932, on certain conditions; reopened May 1, 1934, for an extension of permit—re Application of Thomas O'Rourke Gallagher, on behalf of George W. Horr, owner, permitting in a business district the erection and maintenance of a gasoline service station; premises 70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 22, 1934, 2 P. M.

Appeals from Administrative Orders.

94-34-A—1959 Park avenue (Block No. 1780, Lot No. 1), Manhattan.

98-34-A—598 Broadway and 132 Crosby street (Block No. 511, Lot No. 15), Manhattan.

99-34-A—326-330 Broadway, 94-98 Worth street and 552 Pearl street (Block No. 157, Lot No. 4), Manhattan.

Petition for Variation.

91-34-S—536-538 West 20th street (Block No. 691, Lot No. 1), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 22, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 59-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution, of Maxwell H. Lanes, applicant, on behalf of Estate of Charles A. Peabody, owner, to permit in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores); premises 94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Brooklyn.

CAL. NO. 28-34-BZ—Application, January 31, 1934, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Nac Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), The Bronx.

CAL. NO. 375-33-BZ.—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

CAL. NO. 35-34-BZ.—Application, February 9, 1934, under section 21 of the building zone resolution, of Samuel Roth, applicant, on behalf of Fannie Levy, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

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CAL. NO. 68-34-BZ—Application, March 9, 1934, under section 21 of building zone resolution, of Irving Kirshenblit, applicant, on behalf of Sarah Feman, owner, to permit in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type); premises 384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Brooklyn.

CAL. NO. 73-34-BZ—Application, March 16, 1934, under section 21 of the building zone resolution, of Michael Levine, applicant, on behalf of Karron & Lieberman, Inc., owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station; premises 1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5" south of 20th avenue (Block No. 5464, Lot No. 15), Brooklyn.

CAL. NO. 49-34-BZ—Application, February 20, 1934, under section 7a of the building zone resolution, of H. I. Feldman, applicant, on behalf of David Nussdorf, owner, to permit in a residence district the alteration and extension of an existing building used in part for business use; premises 550-554 Bedford avenue northwest corner of Ross street (Block No. 2181, Lot No. 33), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, MAY 28, 1934, AT 2 P. M.

Building Zone Cases.

81-34-BZ.

APPLICANT—Samuels & Samuels, for Girolomo Staropoli, owner.

PREMISES—196-08 Hillside avenue, south side, 50.42' east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

39-34-BZ.

APPLICANT—Hlavac & Dlouhy, for Little Neck Investors, Inc., owner

PREMISES—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to business use (restaurant).

118-34-BZ.

APPLICANT—Samuels and Samuels, for Robert Ward, owner.

PREMISES—1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

418-31-BZ.

APPLICANT—McCabe and Hickey, for Gerwan Realty Co., Inc., owner.

PREMISES—1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened January 23, 1934).

MAY 29, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 29, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 1213-24-BZ—Application of Charles Schaefer, Jr., on behalf of T. & R. Construction Co., Inc., owner, reopened October 3, 1933, under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station; premises southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

CAL. NO. 78-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Cross Bay Theatre, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

CAL. NO. 100-34-BZ—Application, April 12, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Kariene Burke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 101-34-BZ—Application, April 13, 1934, under section 21 of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of P. M. H. Holding Corp., owner, to permit in a business district

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the erection and maintenance of a gasoline service station; premises Northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.

CAL. NO. 459-32-BZ—Application of Mildred I. Hefter, owner, reopened April 10, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and also a motor vehicle repair shop; premises Southeast corner of Merrick boulevard (road) and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

MAY 29, 1934, 2 P. M.

Appeals from Administrative Orders.

106-34-A—27-33 West 20th street (Block No. 822, Lot No. 15), Manhattan.

122-34-A—7418 3rd avenue, northwest corner of West 75th street (Block No. 5928, Lot No. 45), Brooklyn.

Appliances Submitted for Approval.

124-34-SA—Alida Oil Burner.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 29, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

CAL. NO. 65-34-BZ—Application, March 8, 1934, under section 21 of the building zone resolution, of Burke & Olsen, applicants, on behalf of Domenick Schirripa, owner, to permit in a business district the erection and maintenance of a refrigerating plant; premises 5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 4, 1934, AT 2 P. M.

Building Zone Case.

47-34-BZ.

APPLICANT—Crescent L. Varrone, for Abrem Cohen, owner.

PREMISES—East side of 95th street, 100' north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the replacement of a frame lumber shed with a concrete structure.

JUNE 5, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 5, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 107-34-BZ—Application, April 19, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of John Bauer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

JUNE 5, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 5, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 111-33-BZ—Application of Conroy and Hardy, on behalf of Christ G. Callas, owner, reopened May 15, 1934, for consideration as to an extension of time to complete work, time having expired, re: Application, under section 7-F of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica Bay boulevard and Morrell avenue (Block No. 4046, Lot No. 82), Howard Beach, Borough of Queens.

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CAL. NO. 1149-24-BZ—Application of Croker Fire Prevention Corp., on behalf of Herman W. J. Bruning, owner, reopened May 15, 1934, for consideration as to extension to permit re: Application, under section 21 of the building zone resolution, permitting in a residence district the maintenance of an existing garage for six (6) motor vehicles for a temporary period of two (2) years; premises

63-63½ Schaeffer street (Block No. 3421, Lot Nos. 57 and 58), Brooklyn.
HARRIS H. MURDOCK, *Chairman*.

JUNE 12, 1934, 2 P. M.

Appeal from Administrative Order.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MAY 15, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, May 8, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, May 8, 1934, were approved as printed in Bulletin No. 20, Vol. XIX.

BUILDING ZONE CASES.

65-34-BZ.

APPLICANT—Burke and Olsen, for Domenick Schirripa, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a refrigerating plant.

PREMISES AFFECTED—5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Daniel Epstein, John Burke, Domenick Schirripa.

For Opposition: Charles P. De Martino, Joseph G. Haight, Angelina Vitolo, John Acivoli and others.

ACTION OF BOARD—Laid over to May 29, 1934, at 2 p. m., for report of committee of inspection. No further argument.

197-19-BZ.

APPLICANT—Ferdinand Savignano, for Sadie Wohlberg, owner.

SUBJECT—Request for reopening—reconsideration under new facts—re Application (decision of the commissioner of buildings), under sections 7a and 21 of the building zone resolution, to permit partly in a residence district and partly in a business district the alteration of a garage for more than five (5) motor vehicles (previously granted by the board) so as to include a gasoline service station.

PREMISES AFFECTED—950-954 Fulton street, south side, 189 ft. 5½ in. east of St. James place (Block No. 2014, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent: Commissioner Peppe.....	1

111-33-BZ.

APPLICANT—Conroy & Hardy, for Christ G. Gallas, owner.

SUBJECT—Application for reopening—extension of time to complete work; time having expired—re (decision of superintendent of buildings) under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Jamaica Bay boulevard and Morrell avenue (Block No. 4046, Lot No. 82), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing June 5, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

1304-25-BZ.

APPLICANT—Samuel Fish, for Samuel Berman, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the change of occupancy of an existing building to a motor vehicle repair shop and, also, garage for five (5) motor vehicles (reopened March 20, 1934).

PREMISES AFFECTED—2447 Coney Island avenue, east side, 301 ft. 1 in. north of avenue V (Block No. 7343, Lot No. 61), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Fish.

For Opposition: Rose Burdman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
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Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(1304-25-BZ)

WHEREAS, under date of June 8, 1926, the board granted a variance in the application of the use district regulations of the building zone resolution permitting in a business use district the conversion of occupancy from a storage warehouse to a garage for the storage of more than five motor vehicles for a temporary period of two years and the time was extended for an additional 2 years, June 12, 1928, affecting premises 2447 Coney Island avenue, east side, 301 ft. 1 in. north of Avenue V (Block No. 7343, Lot No. 61), Borough of Brooklyn; and

WHEREAS, Samuel Fish, for the owner, Samuel Berman, requested a reopening of the case and an amendment of the resolution to change the occupancy to a garage for five motor vehicles and a motor vehicle repair shop and the case was reopened March 20, 1934; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 15, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Coney Island avenue is in a business district, East 12th street is in a residence district, East 9th street is in a residence district, Avenue U is in a business and residence district and Avenue V is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 24, 1934, re Applic. No. 1298-34, reads:

"Proposed change of occupancy from a garage for more than five motor vehicles, to an automobile repair shop and a garage for five motor vehicles, to be located partly in a business use and partly in a residential district, is contrary to article 2, section 3 and section 4a of zone resolution."

and

WHEREAS, the existing building is of non-fireproof construction, one story in height, with a frontage of 40 ft. 2 in. and a depth of 110 ft. 5 in., occupied as a garage for more than 5 motor vehicles, permits to maintain which have expired, it is proposed to occupy the premises as a garage for five motor vehicles and a motor vehicle repair shop; and

WHEREAS, this application was originally granted by the board under date of June 8, 1926, for a temporary period of two years, under section 21; and

WHEREAS, under date of June 12, 1928, this temporary permit was extended for a period of two years; and

WHEREAS, after this latter extension of time applicant failed to make application for another renewal.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, for a temporary period of two years from the date of this action, permitting the building to be used for the storage of not more than five (5) automobiles of the pleasure car type and permitting automobile repairing to be carried on in the premises *on condition* that the work shall be done mainly with hand tools and in no event with any motor driven tools requiring more than ½ h.p. motor, such motor driven tools to be restricted to a drill and a grinder; that there shall be no fender or body work carried on and no anvil, forge or acetylene welder used on the premises; that during the term of this variation the building shall not be increased in height or area; that there shall be no sign erected on the front of the building or on the roof other than the sign stating the name and title of the business being conducted on the premises, excluding all temporary signs of every nature; that gasoline storage shall be limited to one tank not exceeding 550

gallons, located near the front of the building in the inside near the street wall and that no gasoline shall be sold to the public, but shall be for the use and accommodation of the operator of the premises only; that all permits shall be obtained within 60 days from the date of this action.

27-34-BZ.

APPLICANT—Edward P. Doyle, for Henrietta Meinikheim, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—72-02 to 72-10 57th avenue and 57-05 to 57-15 Mazeau street, southeast corner (Block No. 2808, Lot No. 79), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Edward P. Doyle.

For Opposition: Robert J. Dellert, Frank Lutz, Salvator Francullo, Frank Scarone, Concetta Scarone, John Carlsen, John Yarkovis, Nellie Pyne, Maria Schmidt, Rita Brienza, Kate Silverstewitch and George A. Salomon.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(27-34-BZ)

WHEREAS, Edward P. Doyle, for Henrietta Meinikheim, owner, filed, February 1, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 72-02 to 72-10 57th avenue and 57-05 to 57-15 Mazeau street, southeast corner (Block No. 2808, Lot No. 79), Maspeth, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 15, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand avenue is in a business district, Mazeau street is in a residence district and 57th avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 12, 1934, re Plan No. 1217-33, reads:

"The erection of a gasoline service station in a business district is contrary to article 2, section 4, subsection 46 of the BZR.

"Not further examined."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 100 ft. on 57th avenue, 118 ft. on Mazeau street and a distance of 80 ft. along the east lot line. It is proposed to remove the two-story dwelling now on the plot and to erect thereon a one-story office, 20 ft. by 20 ft. in area, grease pits and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the board deemed that applicant failed to substantiate his basis of appeal under section 21 of the building zone resolution, and, therefore, was not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

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66-34-BZ.

APPLICANT—David L. Woodall, Jr., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—Southwest corner of East 175th street and Weeks avenue (Block No. 2796, Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Applicant: David L. Woodall, Jr.

For Opposition: Henry P. Botty, James R. Geraghty, I. R. Peters, C. M. Langwith, Anton LeMien.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(66-34-BZ)

WHEREAS, David L. Woodall, Jr., owner, filed, March 8, 1934, an application under the building zone resolution to permit in a residence district the erection and maintenance of a business building (stores); premises: Southwest corner of East 175th street and Weeks avenue (Block No. 2796, Lot No. 31), Borough of the Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 15, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Weeks avenue is in a residence district, East 175th street is in a residence district and Grand concourse is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 19, 1934, re Applic. N. B. 26-1934, reads:

"1. Erection of proposed building in residence district for business uses (stores) is contrary to provisions of building zone resolution."

and

WHEREAS, the proposed building is to be of non-fireproof construction of two stories in height, with a frontage of 14 ft. on Weeks avenue and 91 ft. 11 in. on East 175th street, to be occupied as stores and dwelling; and

WHEREAS, an inspection of these premises was made by a committee of the board; and

WHEREAS, the board deems that applicant is not entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

25-34-BZ.

APPLICANT—William Richter, for The Brooklyn Athletic Field, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7a of the building zone resolution, to permit in a residence district the extension of an existing business building.

PREMISES AFFECTED—1196 Ocean parkway, northwest corner of Avenue L (Block No. 5495, Lot No. 1000), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Richter, Nicholas Drogario.

For Opposition: B. Sackheim, Leo Chernc, Fanny J. Baron.

ACTION OF BOARD—Application granted, on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(25-34-BZ)

WHEREAS, William Richter, for The Brooklyn Athletic Field, Inc., owner, filed, January 29, 1934, an application under the building zone resolution to permit in a residence district the extension of an existing business building; premises: 1196 Ocean parkway, northwest corner of Avenue L (Block No. 5495, part of Lot No. 1000), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 15, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean parkway is in a residence district, Avenue L is in a residence district and East 5th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 29, 1934, re Applic. No. 2-1934, reads:

"As present building is now located in a residence use district, the proposed extension of frame porch for business use is contrary to article 2, section 3 of the zone resolution."

and

WHEREAS, the existing building is of frame and brick construction, one story in height, with a frontage of 50 ft. on Ocean parkway and 80 ft. along Avenue L. occupied as a place of public amusement, it is proposed to enclose an open porch on the southwest corner of the building; and

WHEREAS, at this hearing applicant amended his application to bring appeal under section 7-a instead of section 21; and

WHEREAS, these premises were inspected by a committee of the board; and

WHEREAS, the board deemed that applicant has substantiated basis of appeal under section 7-a.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, permitting the proposed porch extension as indicated on plans filed with this appeal, to be constructed and to be used solely in conjunction with the existing ice cream parlor and not for a kitchen nor other use, *on condition* that the entire building, of which this proposed enclosed porch is an extension, shall not be increased in height or area; that the premises shall continue to be used without further extension for those purposes only for which they have been used since 1915, namely, as a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments, and sale of soda, ice cream, cigars, cigarettes and tobacco; that from this porch extension there shall be no openings or doors leading to the center section of the building to the north; and that all permits shall be obtained within two months from the date of this action.

301-31-BZ.

APPLICANT—William Shary, for Harold S. Burnham, owner.

SUBJECT—Application for reopening—extension of time—re (decision of the superintendent of buildings), under section 21 of the building zone resolution, to

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permit in a business use district the erection of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1238-1254 McDonald (Gravesend) avenue, west side, 180 ft. south of Avenue J (Block No. 5483, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(301-31-BZ)

WHEREAS, this application affecting premises 1238-1254 (Gravesend avenue) McDonald avenue, west side, 180 ft. south of Avenue J (Block No. 5483, Lot No. 16), Borough of Brooklyn, was granted by the board November 12, 1931, on certain conditions, and time extended October 24, 1933, and applicant requests further extension of the time limit imposed.

Resolved, that the resolution of the board adopted on November 12, 1931, be and it hereby is *amended* only so far as it pertains to obtaining of permits and completion of work, so that as amended that clause of the resolution shall read:

"All permits required shall be obtained within six months and all work completed within one year from the date of this amended resolution, *on condition* that other than as amended herein the resolution adopted on November 12, 1931, shall be complied with in all respects."

61-32-BZ.

APPLICANT—Raphael Blank, for Tolstoi Realty Corporation, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—64-70 Neptune avenue, southwest corner of Hoff street (Block No. 7516, Lot No. 2371), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Teichner.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(61-32-BZ)

WHEREAS, this application affecting premises 64-70 Neptune avenue, southwest corner of Hoff street (Block No. 7516, Lot No. 2371), Borough of Brooklyn, was granted by the board May 13, 1932, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on May 13, 1932, be and it hereby is *amended*, only so far as it has reference to obtaining of permits and completion of work, so that as amended this portion of resolution shall read:

"All permits shall be obtained within six months and all work involved shall be completed within one year from the date of this resolution, *on condition* that other than as amended herein the resolution adopted by the board on May 13, 1932, shall be complied with in all respects."

345-33-BZ.

APPLICANT—Walter Zeitz, for Walmere Realty Co., Inc., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the erection and maintenance of a building to be used for business use (stores).

PREMISES AFFECTED—3146 Heath avenue, south side, 117 ft. 8 in. west of Kingsbridge road (Block No. 3257, Lot No. 53), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter Zeitz, Saul Goldsmith.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(345-33-BZ)

WHEREAS, this application affecting premises 3146 Heath avenue, south side, 117 ft. 8 in. west of Kingsbridge road (Block No. 3257, Lot No. 53), Borough of The Bronx, was granted by the board April 10, 1934, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on April 10, 1934, be and it hereby is *amended*, only so far as it refers to the distance on the easterly lot line where the residential use area crosses, so that as amended this portion of the resolution will read:

"and shall not extend southerly more than 56 ft. beyond the line where the business use intersects the residence use on the easterly lot line *on condition* that the resolution of April 10, 1934, other than as amended herein shall be complied with in all respects."

Adjourned, 12:45 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, MAY 15, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

49-34-BZ.

APPLICANT—H. I. Feldman, for David Nussdorf, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7a of the building zone resolution, to permit in a residence district the alteration and extension of an existing building used in part for business use.

PREMISES AFFECTED—550-554 Bedford avenue, northwest corner of Ross street (Block No. 2181, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Hyman Wank.

ACTION OF BOARD—Laid over to May 22, 1934, at 2 p. m., for further consideration by the board.

510-32-BZ.

APPLICANT—Paul M. Jeffrey, for Sadie Smith, owner.

SUBJECT—Application for reopening—restoration to calendar, having been previously withdrawn—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Rockaway boulevard and Van Wyck boulevard (Block No. 2558, Lot Nos. 1 and 3), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

1149-24-BZ.

APPLICANT—Croker Fire Prevention Corporation, for Herman W. J. Bruning, owner.

SUBJECT—Application for reopening—extension of time under section 21—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence district the maintenance of an existing garage for six (6) motor vehicles—granted for a temporary period of two (2) years.

PREMISES AFFECTED—63-63½ Schaeffer street (Block No. 3421, Lot Nos. 57 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing June 5, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

165-30-BZ.

APPLICANT—Max H. Newman, for Irene Thatcher, present owner, substituted for William Richter, for Mirdan Realty Co.

SUBJECT—Request for reopening—reconsideration under new facts—or acceptance of a new case—re Application (decision of commissioner of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use and "E" area district the erection and maintenance of a business building and, also, the omission of the setback from the building line as required by the building zone resolution.

PREMISES AFFECTED—1602 Avenue J, 1001 East 16th street, southeast corner (Block No. 6718, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Sherman.

ACTION OF BOARD—Request to reopen or accept as a new case—denied.

THE VOTE TO REOPEN OR ACCEPT AS A NEW CASE—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(165-30-BZ)

WHEREAS, Max H. Newman, for Irene Thatcher, present owner, requested a reopening of Cal. No. 165-30-BZ, affecting premises 1602 Avenue J, 1001 East 16th street, southeast corner (Block No. 6718, Lot No. 1), Borough of Brooklyn, or the acceptance of a new application on these premises; and

WHEREAS, after a public hearing on the question of new facts, this matter was laid over so as to give applicant an opportunity to look into the same, and decide whether he wanted to withdraw the application or permit it to go to vote by the board; and

WHEREAS, at this hearing applicant's representative stated applicant was unable to be present, having been subpoenaed to court.

Resolved, that the request for reopening be and it hereby is *denied*.

6-34-BZ.

APPLICANT—Harry A. Yarish, for Allan A. Kurtz, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7a, 7e and 21 of the building zone resolution to permit in a business district the erection and maintenance of stables for more than five (5) horses.

PREMISES AFFECTED—507-511 Foster avenue, north side, 178 ft. 6 ¾ in. west of Ocean parkway (Block No. 5427, Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish, Irving Lipton.

For Opposition: Herman Brothers.

ACTION OF BOARD—Application denied.

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THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(6-34-BZ)

WHEREAS, Harry A. Yarish, for Allan A. Kurtz, owner, filed January 17, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of stables for more than five (5) horses; premises: 507-511 Foster avenue, north side, 178 ft. 6¾ in. west of Ocean parkway (Block No. 5427, Lot No. 53), Borough of Brooklyn;

and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 15, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Foster avenue is in a business and residence district, Ocean parkway is in a residence district and Parkville avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 29, 1933, re: Applic. No. 15452-1933, reads:

"I. Application denied, same contrary to article 2, section 4 (a36) zone resolution which prohibits stables for more than 5 horses in business districts."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. 1 in. and a depth of 100 ft. 2 in.—upon which are located a two-story frame structure 25 ft. by 35 ft. in area used as office and waiting rooms (for a riding academy) and also a one-story building, 18 ft. by 30 ft. in area occupied as a stable for six (6) horses. It is proposed to demolish these structures and to erect upon the plot a one-story structure 36 ft. 1 in. by 100 ft. 2 in., irregular in area to be used as office, dressing rooms and also a stable for more than five (5) horses. (Plans indicate 52 stalls); and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 6-34-BZ.

Premises: 507-11 Foster avenue, Brooklyn, north side, 178 ft. 6¾ in. west of Ocean parkway (Block No. 5427, Lot No. 53). Borough of Brooklyn.

In this application a zoning variance is sought under sections 7A, 7E and 21 of the zoning resolution to permit the construction of a stable for more than 5 horses on an interior plot 50 ft. by 100 ft., located on the northerly side of Foster avenue, 178 ft. west of Ocean parkway in an area zoned for business use, but backing up to a residential area.

Next east to this plot is a parsonage and church; across the street are stores and dwellings, and dwellings are along Foster avenue on the same side of the street as this plot under appeal, to the west and in the rear in the residential use district along Parkville avenue.

This owner now operates a small stable which has apparently been in existence for many years, and stables five or six saddle horses which are rented to riders for use along the nearby Ocean parkway. He owns 39 other horses which he stables elsewhere and brings many of them to this location under appeal for the convenience of his customers. The owner now desires and

to stable those horses on this site in a new stable which he proposes to erect, one story in height, with waiting rooms, with stalls for 52 horses, this building to cover approximately 65 per cent. of the lot, the balance to be left unbuilt upon to consist of a stable yard and passage to street.

It is readily understandable that the location is favorable for this particular business. It is also easy to realize that the present old wooden stable and lack of fences on the lot lines has produced an objectionable condition nevertheless, that could not be abated except by it being declared a public nuisance, because it was established as a stable prior to the passage of the zoning resolution. The new proposed building would, as a building, be preferable to the existing old frame structure, but the addition of 46 horses to be stabled there continuously is a matter of serious concern to the neighborhood.

Section 7A does not apply in this case because it is proposed to remove all buildings and build new and not extend an existing building. Under 7E the Board is permitted to grant a variance for the erection of a new stable when it can be shown that a stable for more than 5 horses existed on July 25, 1916. Evidence has been submitted that such a stable existed prior to that date.

Under section 21 the Board could grant this application if hardship or practical difficulties can be shown.

The owner could use this property for conforming purposes, if he removed the stable use, though it is not reasonable to expect him to do so and give up the existing use to which he has a legal right.

Hardship is claimed in not being permitted to extend the existing use so as to eliminate the cost of boarding his horses elsewhere instead of stabling them on these premises, and he claims as a practical difficulty the inconvenience of transferring the horses 5½ blocks from where they are now stabled to this site for use as required. The application states he has owned these premises since November 4, 1931. He therefore bought with knowledge that under the zoning restrictions he could extend the use only by the exercise of the discretion of this Board in his favor. Some neighborhood development took place before the zoning law was enacted, at which time a stable could be built anywhere unless prevented by private covenants in deeds; but now property owners are entitled to the protection of the zoning resolution, which is to be administered even in granting variances so that the public health, safety and general welfare shall be secured and substantial justice done. The pecuniary loss and inconvenience which this owner may suffer if not permitted to increase the existing nonconforming use are, in the opinion of the committee, outweighed by the increase, day and night, of those features, odor, noise and other things which make a stable an objectionable use, and the consequent decrease in value of affected properties.

Practical difficulties and unnecessary hardship are of an entirely different kind than claimed by this applicant. There are no practical difficulties stated which would preclude the construction of a building on this plot to be used for a conforming use, and nothing has been shown or proven in the way of undue hardships existing due to the surrounding conditions that would make a conforming use impracticable.

The committee inspected this site and the neighborhood on May 3, 1934, and recommends denial under sections 7-e and 21.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

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WHEREAS, this report recommends that the application be denied; and the Board deemed that applicant had failed to substantiate his basis of appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

37-34-BZ.

APPLICANT—Archie H. Samuels, for Stiroco Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Milton Samuels.

For Opposition: Hyman Wank, Julius Suppin, A. C. Turner, W. H. Robin.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(37-34-BZ)

WHEREAS, Archie H. Samuels, for Stiroco Realty Corporation, owner, filed February 10, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Southwest corner of 150th street and Northern boulevard (Block No. 5018, Lot No. 12), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 15, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business district, 150th street is in a business and residence district and 149th place is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 23, 1934, re: Plan No. 65-1934, reads:

"The erection of a gasoline service station in a business district is contrary to article 2, section 4, subdivision 46 B.Z.R. Not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 105 ft. on Northern boulevard, 5 ft. on 150th street and a distance of 49.3 ft. along the west lot line—upon which it is proposed to erect a one story office and grease pit structure 23 ft. by 23 ft. in area and to install the necessary tanks and pumps for a gasoline service station. A frame, two-story dwelling now on the site to be demolished; and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 37-34-BZ.

Premises: Southwest corner 150th street and Northern boulevard, (Block No. 5018, Lot No. 12), Flushing, Borough of Queens.

This application is for a zoning variance under section 21 for a permit to maintain a gasoline service station at the Southwesterly corner of 150th street and Northern boulevard, Flushing, in an area zoned for business. The plot is triangular with an area of approximately 2,500 square feet and with a frontage of 105 feet on Northern boulevard and a frontage of 5 feet on 150th street.

There is a disused frame dwelling now on the premises. The applicant claims that because of the small area of the plot, it cannot be used for a conforming use and that hardship will result if the proposed use is not permitted. Northern boulevard is a wide thoroughfare zoned for business use while the area north and south are zoned for residential use and are fully developed with fine residential buildings. 150th street south of Northern boulevard is zoned for business uses although for some distance is used for residence use only. Along Northern boulevard itself within this area, there are many residences and also business uses none of which are nonconforming. Next to this plot is a one story building housing a store selling automobile accessories. Across Northern boulevard is a one-story frame real estate office. Diagonally opposite is a dealer in used cars where no commercial parking of cars is permitted. The corner opposite this plot under appeal across 150th street and on the same side of Northern boulevard is a plot not built upon but under lease as a parking area for patrons of a high-class restaurant located on the adjoining property. All these uses are conforming.

There are no stores immediately adjacent other than the accessories store referred to. Two blocks to the north there are several stores vacant. Why these are vacant there is no explanation given, but it appeared to the committee in inspecting this area on May 3, 1934, that there was an apparent shortage of stores considering the great residential area in this section which would normally trade on Northern boulevard if stores were available.

In 1926 Northern boulevard was widened and at this point the extra width was taken from the north side. This was not only because of the large property damage that would be caused if widening were done on the south side, but also to preserve the fine trees on the southerly side, several of which are in front of these premises under appeal. It should be noted that new maple trees have been planted by the city on the widened side of Northern boulevard to beautify this area.

If this plot were given over to a gasoline station these trees would necessarily have to be sacrificed. Furthermore, because of the shallow depth of this plot averaging 27 feet, no adequate service station can be maintained without recourse to the use of the sidewalk to the peril and inconvenience of pedestrians for whom sidewalks are maintained. If the Board required the usual curbs at the building line for the protection of the public and to which the Board deems the public is entitled, the plot could not be readily entered by automobiles.

Where there are practical difficulties or unnecessary hardships, the Board may in a specific case vary the provisions of the law in harmony with its general purpose and intent, so that the public health, safety and general welfare may be secured and substantial justice done. But there are no practical difficulties or unnecessary hardships proved in this case. A practical difficulty presumes a structural difficulty, such as would preclude because of bad sub-surface conditions, for example, the erection of a building of sufficient height to be profitable without undue cost for foundations. The size and shape of the lot does not come under that classification of practical difficulty. Nor

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can the size or shape of the lot in this instance be considered an undue hardship. The committee believes a conforming use in the form of a store building is not only practicable for the plot but rentable and useable, statements of real estate agents filed by the applicant to the contrary notwithstanding. The owners purchased the property knowing the zoning requirements and the size and shape of the lot. They have allowed the existing frame building to go to pieces, have permitted posters to be plastered upon it and generally to become a blot on this boulevard and in this section where the owners and the city have spent so much to dignify and maintain it in fine condition. Now they would still further depreciate the surroundings by installing a gasoline service station on a plot of inadequate size precluding the establishment of safeguards which are often possible, partly, at least, to overcome objections and protect neighboring properties.

The committee finds no justification for this variance and recommends denial.

(Signed)- HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and
WHEREAS, this report recommends that the application be denied; and the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed, and that the application be and it hereby is denied.

62-34-BZ.

APPLICANT—Henry G. Harrington, for Dagmar Matsen Clements, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration of a structure occupied as a garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—6502-6504 Ft. Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry G. Harrington.

For Opposition: Allan M. Pollock.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(62-34-BZ)

WHEREAS, Henry G. Harrington, for Dagmar Matsen Clements, owner, filed March 6, 1934, an application under the building zone resolution to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises: 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 15, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Fort Hamilton parkway is

in a business district, 65th street is in a business and unrestricted district, 9th avenue is in a business and unrestricted district and 64th street is in a business and unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 14, 1934, re: Applic. No. 319-34, reads:

“Proposed structural alteration to establish an additional prohibited use as a gas station in conjunction with an existing auto repair shop in a business district is contrary to the B. Z. Res. article 2, 4a (46) and section 6, and is therefore denied.”

and

WHEREAS, the premises consist of a plot of ground having a frontage of 46 ft. 11 in. on Fort Hamilton parkway, 73 ft. 6 in. on 65th street and a distance of 42 ft. 6 in. along the west lot line. On the southerly part of the Fort Hamilton parkway front of the plot there is located a three-story non-fireproof building; the 1st story occupied as a motor vehicle repair shop and the upper stories as dwellings. The remainder of the plot is developed with a one-story, non-fireproof structure occupied as a motor vehicle repair shop and garage. It is proposed to alter part of this existing one-story structure (having a frontage of 34 ft. on 65th street and 28 ft. on Fort Hamilton parkway and to occupy said space as an “arcade” or roofed gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 62-34-BZ.

Premises: 6502-04 Fort Hamilton parkway, southwest corner 65th street (Block No. 5750, Lot Nos. 19 and 20, Borough of Brooklyn.

The application is for a zoning variance under section 21, to permit the sale of gasoline in addition to the present nonconforming use as a motor vehicle repair shop, which use has existed since 1907.

On the plot at present is a three-story brick building on the southerly side occupied as a repair shop on the street floor and living quarters for two families above. On the northerly side of the plot at the corner of the two streets is a one-story building used for repairing and greasing of automobiles. It is proposed to remodel this corner building by lowering the floor to grade, removing the front walls, erect a brick division wall and in the space thus provided, 34 feet by 28 feet, install a greasing rack and gasoline pumps.

This section which adjoins an unrestricted district along Ninth avenue is given over largely to gasoline stations and garages. Within the area of notification, there are four gasoline stations and permit granted for another not yet constructed, and four public garages also selling gasoline, and several other buildings used for automobile storage and repairs.

It appears that the owner of this property under appeal also owned jointly with her husband the balance of the block front on Fort Hamilton parkway between 65th and 66th streets and not only established the business on this plot under appeal but also constructed, prior to the passage of the zoning resolution, the adjoining garages and gas station. The establishment of two uses prior to zoning has been an important factor in the granting of other nonconforming uses nearby and the applicant now asks the Board to remove the hardship caused this owner because of these other variances.

Owing to the restricted area proposed and the non-fireproof buildings now on the property, part of which is used for residential purposes, together with the fact that the owner is now enjoying a non-conforming use as a repair shop, the committee in inspecting this site

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and the adjoining area on May 3, 1934, were of the opinion that it was not desirable to permit this alteration and the additional non-conforming use. If the owner proposed to remove the existing buildings and erect a new structure for repairing with an adequate area set apart for the gasoline station, the committee would have viewed the application favorably. The objectors are mainly owners of existing gasoline stations granted by this Board and they object to the additional competition. It appeared to the committee that because of the many places immediately surrounding where gasoline is being now sold that he should make the most of what he has instead of reducing the area for repair work by the space proposed for the gasoline selling area.

The committee recommends denial of the application in the form presented without prejudice to the applicant filing a revised application that would eliminate or at least materially reduce the fire menace, also eliminate the residential occupancy, and provide adequate gasoline service station facilities.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the Board deemed that applicant had failed to substantiate his basis of appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

632-23-BZ.

APPLICANT—Henry J. Nurick, for Mabel Parker, present owner.

SUBJECT—Application for reopening and amendment of a resolution adopted by the board on December 5, 1933, which resolution permitted the erection and extension of a gasoline service station as an alteration to a garage, so as to separate a portion known as lot No. 104 from such gasoline station.

PREMISES AFFECTED—1709-1729 Neptune avenue (Block No. 6994, Lot Nos. 1 and 104), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick, Thomas F. Ferrara, Mabel Parker, Louis D. Cohen and Sidney Kitzler.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(632-23-BZ)

WHEREAS, this application affecting premises 1709-1729 Neptune avenue (Block No. 6994, Lot Nos. 1 and 104),

Borough of Brooklyn, was granted by the Board October 7, 1924, on certain conditions; and

WHEREAS, the Board at its regular meeting on May 9, 1933, at the request of Tally & Lamb, representing Martinos Building Corporation, owner, voted to reopen this application (granted October 7, 1924) after inspection by a committee of the Board, for the purpose of amending the resolution as to new conditions that had arisen due to the widening of Neptune avenue and to include within the plot an unoccupied vacant lot adjoining, situate at the northwest corner of Neptune avenue and Cropsey avenue, and designated as Block 6994, Lot 104, and known as 1709 Neptune avenue, and which at that time was being used without permit therefor as an access to the adjoining gasoline station; and

WHEREAS, it was represented that Martinos Building Corporation had leased from the then owner Edward Parker this Lot No. 104; and

WHEREAS, said owner Edward Parker filed with the Board an affidavit that he was the owner of 1709 Neptune avenue (Lot No. 104), and that he authorized Tally & Lamb to make the amended application in his behalf (to include his Lot No. 104 with the application of Martinos Building Corporation); and

WHEREAS, the Board at its regular meeting on December 5, 1933, after public hearing amended its resolution adopted October 7, 1924, to include within the gasoline service station area Lot No. 104, known at 1709 Neptune avenue and to impose certain other conditions for the protection of the public and the adjoining owners; and

WHEREAS, it now appears that by mutual agreement Martinos Building Corporation has surrendered the lease of Lot No. 104 to Mabel Parker, present owner, certified copies of instruments to this effect having been filed with the Board; and

WHEREAS, Mabel Parker, through her duly authorized representative, Henry J. Nurick, now requests that the Board amend its resolution adopted December 5, 1933, so as to set off this plot No. 104 from the adjoining premises occupied by Martinos Building Corporation in view of the cancellation of the lease and the surrender to her of the premises.

Resolved, that the resolution adopted by the Board on December 5, 1933, be amended so as to eliminate reference therein to lot No. 104, Block 6994, and that the requirements of the resolution adopted December 5, 1933, shall be complied with in all respects other than in respect to the conditions imposed therein as to the use and occupancy of Lot No. 104.

205-33-BZ.

APPLICANT—William Shary for Henry M. Rinder, owner.

SUBJECT—Application for reopening—amendment to resolution and approval of plans in accordance therewith—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side Jerome avenue, 193.47 ft. north of Cromwell avenue (Block No. 2855, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened; resolution amended and plans approved in accordance therewith.

THE VOTE TO REOPEN; AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4

MINUTES

Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(295-33-BZ)

WHEREAS, this application affecting premises west side Jerome avenue, 193.47 ft. north of Cromwell avenue (Block No. 2855, Lot No. 12), Borough of The Bronx, was granted by the board January 9, 1934, on certain conditions, and applicant requests an amendment of the resolution and approval of plans.

Resolved, that the plans marked "Received May 7, 1934" be and they hereby are *approved* as complying with resolution adopted by the board on January 9, 1934; and, further, *amending* the resolution adopted on that date so as to permit the grease pits to be installed on the southerly side of the lot, as indicated on these plans, and permitting the wall to be constructed on the interior lot line, as shown, at heights of 4 ft. and 6 ft.; and that other than as amended herein the resolution adopted by the board on January 9, 1934, shall be complied with in all respects.

APPEALS FROM ADMINISTRATIVE ORDERS.

63-34-A.

APPELLANT—Walter C. Martin, for Board of Education for City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Appellant: Charles Tilgner.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over September 18, 1934, at 2 p. m., upon request of appellant's representative.

80-34-A.

APPELLANT—New York Enamel Products, Inc., lessee.
SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—702 East 12th street (Block No. 381, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Appellant: Samuel Bierman.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Laid over to June 12, 1934, at 2 p. m., to confer further with division of fire prevention.

57-34-A.

APPELLANT—William F. Regan, for Cortne, Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—52-55 74th street (building No. 6); (Block No. 1594, part of Lot No. 15), Maspeth, Borough of Queens.

APPEARANCES—For Appellant: William F. Regan.

For Administration: Inspector Meyer of fire department and Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(57-34-A)

WHEREAS, William F. Regan, for Cortne Inc., lessee, filed March 1, 1934, an appeal from an order and a decision of the fire commissioner, affecting premises 52-55 74th street (Building No. 6) (Block No. 1594, part of Lot No. 15), Maspeth, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated October 27, 1933, re: Order No. 61788-LC, reads:

With reference to your application dated September 22, 1933, for a permit to store 100 lbs. nitro cellulose products at premises known as 52-55 74th St., Maspeth, Borough of Queens, N. Y., I regret to inform you that I am without power to grant such a permit for the following reasons:

Subdivision 2-F of section 232, chapter 10 C. O. N. Y., further states that no permit for the storage or manufacture of nitro cellulose products except as heretofore provided shall be issued for any building which is not equipped with an approved system of automatic sprinklers.

You are therefore ordered to remove all nitro cellulose from the premises and to discontinue the further storage of nitro cellulose on said premises."; and

WHEREAS, the decision of the fire commissioner, dated February 10, 1934, reads:

"In reply to your letter of January 24, 1934, advising that you have been retained by the owners to appeal from the requirements of Order No. 61788-LC and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, twenty days, had elapsed, and request dismissal and reissuance of the above order.

You are advised that the order cannot be dismissed or reissued. Therefore your request is denied"; and

WHEREAS, the building is non-fireproof, one story, 15 ft. 6 in., in height, 60 ft. by 64 ft. in area; OCCUPIED for the manufacture of optical (eye-glass) frames, 12 persons; located within an unrestricted district, outside the fire limits; and

WHEREAS, the appellant claims the building was erected in 1922, provided with a doorway exit on each side except the south side, where there is a communicating opening to adjoining building protected with a fire door on each side of the dividing wall; the building is entirely sprinklered by an extension of the sprinkler system installed in the building adjoining at south, fed from two independent 6 inch connections with the street mains; one connection made to the 6 inch main on 74th street, the other connection made to the 10 inch main on Grand avenue, so arranged that the failing of either main would not affect the supply from the other main; watchman service is provided day and night at all times; the certificate of occupancy in force permits a factory use; the appellant proposes to store not more than 100 pounds of nitro-cellulose on the premises at any time, not more than 25 pounds will be used in the working stage at any time; the nitro-cellulose will be stored in approved cabinets when not in use; furthermore, the appellant contends the premises are being legally operated and is equipped with a two source sprinkler system as required by law; under such conditions a permit for the storage of 100 pounds of nitro-cellulose should be granted.

Resolved, that the order of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Order No. 61788-LC, permitting not over 100 lbs. of nitro cellulose to be used on the premises *on condition* that it shall be stored in an approved cabinet with not more than 25 lbs. in working operation at any one time; that the openings from this building to the adjoining buildings to the south shall be either bricked up with masonry the full width of the wall or protected on

MINUTES

both sides with approved fireproof self-closing doors; that the existing voluntarily installed sprinkler system shall be maintained with two sources of supply, consisting of independent connections to the water mains on each street front; that not more than 20 people shall be employed at any one time in this building in which the nitro cellulose is stored or used that other than as modified herein, all requirements covering the storage and use of nitro cellulose products shall be complied with.

74-34-A.

APPELLANT—J. Sarsfield Kennedy, for T. A. Clarke Company, owner.

SUBJECT—Appeal from orders of the commissioner of buildings.

PREMISES AFFECTED—944-946 Halsey street and 881-893 Macon street (Block No. 1495, Lot Nos. 23, 25 and 55), Borough of Brooklyn.

APPEARANCES—

For Appellant: Frank G. Colgan.

For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(74-34-A)

WHEREAS, J. Scarsfield Kennedy, for T. A. Clarke Company, owner, filed March 16, 1934, an appeal from orders of the commissioner of buildings, affecting premises 944-946 Halsey street and 881-893 Macon street (Block No. 1495, Lot Nos. 23, 25 and 55), Borough of Brooklyn; and

WHEREAS, the orders of the commissioner of buildings, dated February 28, 1934, reads:

“Order No. 1430-LF—

“An inspection of premises 944-6 Halsey street and 881-893 Macon street, Borough of Brooklyn, shows a fire hazard, to correct which you are hereby specially directed within 20 days to do the following:

“1. Provide an approved standpipe system in accordance with the rules of the Board of Standards and Appeals, section 580-1, chapter 5, Code of Ordinances”; and

“Order No. 1431-LF—

“An inspection of premises 944-6 Halsey street, and 881-93 Macon street, Borough of Brooklyn, shows a fire hazard, to correct which you are hereby specially directed within 20 days, to do the following:

“1. Provide telegraphic communication with fire department headquarters as provided for by City Ordinances, section 20, chapter 12, Code of Ordinances”; and

WHEREAS, the building is fireproof, one story, 39 feet in height, 152 feet by 100 ft. in area; OCCUPIED for exhibition purposes; located within a business district; and

WHEREAS, the appellant claims the building was erected in 1914 for use as a sport arena, it has been continuously used as a place of public amusement since erection, coming under article 25 of the building code, and therefore is exempted from the requirements of sections 580 and 581 of the building code; the building has a frontage on two streets, with seven doorways opening to Macon street, an entrance lobby 40 feet by 100 feet from Halsey street, and also four doorways opening to the street-court at east side of the main building; there are two balconies, one at each end of the arena provided with seats; adequate exit facilities are provided for more than the maximum capacity

of the building; furthermore, certificate of occupancy No. 7590 issued September 16, 1926, permitting the use of the premises for a Fight Club and Skating Rink, with 4,932 seats is now in force.

Resolved, that the order of the commissioner of buildings, No. 1430-LF be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that such auxiliary fire-fighting appliances shall be installed throughout the building as may be required by the commissioner; that this modification shall continue only so long as the building is used as a sports arena; that the building shall not be increased in height or area; that the existing exit doors to Halsey street and Macon street and runways adjacent thereto shall be maintained; and that as to Order No. 1431-LF, the appeal be and it hereby is *denied*.

114-34-A.

APPELLANT—Endy Amusement Corp., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—7010 13th avenue, southwest corner of 70th street (Block No. 6166, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Appellant: John Manheimer, Irving Renner.

For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(114-34-A)

WHEREAS, Endy Amusement Corporation, owner, filed April 27, 1934, an appeal from an order of the commissioner of buildings, affecting premises 7010 13th avenue, southwest corner of 70th street (Block No. 6166, Lot No. 41), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated March 29, 1934, re: Order No. 1752-LF, reads:

“1. Provide an emergency drain for standpipe tank not less than 4 inches in diameter connected directly to the bottom of the tank or to the standpipe supply line above the room, and terminating not less than 30 inches, not more than 4 feet above the roof in a horizontal run. Emergency drain shall be provided with a 4 inch quick opening gate valve located in a readily accessible position nor more than 4 feet above the roof, section 524, chapter 5, Code of Ordinances”; and

WHEREAS, the building is fireproof, 1 and 2 stories (40 feet) in height, 150 feet frontage on 13th avenue by 100 feet frontage on 70th street; OCCUPIED: 1st story, motion picture theatre, 1,429 seats, and stores; 2nd story, offices; located within a business district; and

WHEREAS, the appellant claims the building was erected in 1926, with the standpipe system installed under plans approved by the departments having jurisdiction certificate of occupancy No. 48813 was issued January 11, 1928; during the past 6 years the theatre has operated under licenses regularly issued by the commissioner of licenses; furthermore, there is a 2½ inch horizontal emergency drain and 2½ inch gate valve from the 4 inch standpipe line above the roof and terminates at a point 18 inches above a deck roof; furthermore, the appellant contends that due to the special construction it is impossible to install an emergency drain 30 inches to 4 feet above the main roof which would be accessible; also that the existing condition is adequate.

MINUTES

Resolved, that the order of the commissioner of buildings, No. 1752-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the emergency drain to remain at the present height above roof deck, as indicated on the plans filed with this appeal, marked "received May 8, 1934," *on condition* that the drain shall be changed to a 4 inch drain with an approved gate valve; and that the system in all other respects shall comply with Rule 91 of the Standpipe Fire Line Rules.

115-34-A.

APPELLANT—Raymark Theatres, Inc., lessee.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—1374 Myrtle avenue, southwest corner of Harmon street (Block No. 3277, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Appellant: John Manheimer, Irving Renner.
For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(115-34-A)

WHEREAS, Raymark Theatres, Inc, lessee, filed April 27, 1934, an appeal from an order of the commissioner of buildings, affecting premises 1374 Myrtle avenue, southwest corner of Harmon street (Block No. 3277, Lot No. 14), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated March 21, 1934, re: Order No. 1686-LF, reads:

"Provide standpipe outlets and hose on 2nd and 3rd story dressing rooms";

and

WHEREAS, the building is fireproof, 2 stories (40 feet) in height, triangular in plan, 120 feet 9½ inches frontage on Myrtle avenue, 120 feet 1 inch frontage on Harmon street by about 100 feet in width at rear; OCCUPIED as a motion picture theatre, total of 432 seats; located within a business district; and

WHEREAS, the appellant claims the building was erected in 1910, with the installation of the standpipe system under plans approved by departments having jurisdiction for theatre purposes; thereafter used more than 20 years for showing of vaudeville and similar entertainment, during which time no order was filed by the City to provide standpipe outlets and hose on any floor where dressing rooms are located backstage; the stage is not in use, the building is used only as a motion picture theatre and no use is made of any part of the building behind the picture screen; after alterations were made in 1933, certificate of occupancy was issued December 19, 1933, for theatre use; furthermore, the appellant contends that all other items of the order have been complied with, and the existing standpipe system is adequate.

Resolved, that the order of the commissioner of buildings, No. 1686-LF be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the hose on the stage shall be at least 100 ft. in length; that the dressing rooms shall remain unoccupied and that the standpipe system shall in all respects, other than as modified herein, comply with Rule 91 of the Standpipe Fire Line Rules.

116-34-A.

APPELLANT—N. & R. Theatres, Inc., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—194 Grand street (Block No. 2393, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Appellant: John Meinheimer, Irving Renner.
For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(116-34-A)

WHEREAS, N. & R. Theatres, Inc., owner, filed April 27, 1934, an appeal from an order of the commissioner of buildings, affecting premises 194 Grand street (Block No. 2393, Lot No. 19), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated April 6, 1934, re: Order No. 1860-LF, reads:

"Provide siamese connection for standpipe system on Grand street front of the building";

and

WHEREAS, the building is non-fireproof, 2 stories (40 feet) in height, 100 feet 10 inches frontage on South 1st street by 71 feet 8 inches, and 25 feet frontage on Grand street by 100 feet in area; OCCUPIED as a motion picture theatre, 1,302 seats; located within a business district; and

WHEREAS, the appellant claims the building was erected for theatre purposes in 1886, with the standpipe system installed under plans approved by the departments having jurisdiction; during the past 48 years the theatre has operated under licenses regularly issued by the commissioner of licenses; under section 538 of the building code, this theatre is exempt from the requirements of article 25 of the code, and also exempt from the standpipe requirements under section 581, subdivision 1 (c) of the code; furthermore, the building faces on two streets, is less than 10,000 square feet in area, less than 85 feet in height, and the existing standpipe system is adequate.

Resolved, that the order of the commissioner of buildings be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Order No. 1860-LF *on condition* that the standpipe siamese in its existing location on the South First street front shall be 3 inches in diameter; and that other than as modified herein the requirements of Rule 91 of the Standpipe Fire Line Rules shall be complied with.

103-34-A.

APPELLANT—Henry T. Neumann Laboratories, Inc., for Estate of Mary E. Pinchot, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—123 West 64th street (Block No. 1136, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Appellant: Joseph D. Shifrin.
For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

MINUTES

THE RESOLUTION—

(103-34-A)

WHEREAS, Henry T. Neumann Laboratories, Inc., for Estate of Mary E. Pinchot, owner, filed, April 16, 1934, an appeal from an order and a decision of the fire commissioner affecting premises 123 West 64th street (Block No. 1136, Lot No. 24), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated March 8, 1934, Order No. 2947 LC, reads:

"Referring to your application for a permit to conduct a motion picture film laboratory in the building, 123 West 64th street, Borough of Manhattan, you are hereby notified that such permit cannot be granted for the following principal reason: Building is situated within 50 ft. of the nearest wall of a building occupied as a theatre (section 242, subdivision A, chapter 10, code of ordinances.)

"You are hereby ordered to:

"(1) Discontinue the operation of a motion picture film laboratory in the building 123 West 64th street, Borough of Manhattan."

and

WHEREAS, the decision of the fire commissioner, dated March 26, 1934, reads:

"Replying to the request made in this office, it is regretted that we cannot rescind order number 2947-LC and reissue it so that you can take it to the Board of Standards and Appeals within the twenty-day time limit.

"However, we have been advised that the Board of Standards and Appeals will accept a letter from this department, and we are forwarding this letter for that purpose, which will certify that violation numbered 2947-LC, issued against you on March 8, 1934, read as follows:

"Referring to your application for a permit to conduct a motion picture film laboratory in the building 123 West 64th street, Borough of Manhattan, you are hereby notified that such permit cannot be granted for the following principal reason: Building is situated within 50 ft. of the nearest wall of a building occupied as a theatre (section 242, subdivision A, chapter 10, code of ordinances).

"You are therefore hereby ordered to:

"(1) Discontinue the operation of a motion picture film laboratory in the building 123 West 64th street, Borough of Manhattan."

and

WHEREAS, the building is fireproof, 12 stories (150 ft.) in height, 148 ft. by 100 ft., 5 ins. in area at 1st story and 148 ft. by 88 ft. in area above; OCCUPIED: Salesrooms, auto parts, auto repairing and factory; not more than 32 persons per story; located within a business district; and

WHEREAS, the appellant claims he is a tenant on the 11th story conducting a research laboratory which requires photography in part; a very large investment has been made for special machinery and equipment; it is proposed to store not more than 500 pounds of nitrate film on the premises at any time, kept in approved metal cabinets to the satisfaction of the fire commissioner, not more than 200 pounds will be handled at any time during the working stage; the film, 6½ in. in width is coated and then cut down to 35 mm. in size; the building in question is equipped with a standpipe system and a sprinkler system; the 11th story is more than 100 ft. above the roof of the one-story theatre adjoining at rear, the rear wall of the theatre is also unpierced throughout its entire height and width; the order in this case is therefore technical; furthermore, the appellant contends that a heavy loss and great hardship would result if not permitted to conduct the business of experimental and research work as intended.

Resolved, that the order of the first commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Order No. 2947-LC, permitting the

space now occupied on the 11th floor to be continued solely as a research laboratory *on condition* that it shall be separated from all other parts of the building with fireproof partitions and doors; that there shall be at no time more than a total of 500 lbs. of nitro cellulose film on the premises; that this film shall be stored in approved metal cabinets with not more than 200 lbs. of this quantity being handled at any time during the working stage; that the standpipe system and sprinkler system in the building shall be maintained in accordance with the requirements; and that there shall be installed in the research laboratory such auxiliary fire-fighting appliances as the commissioner may direct.

54-34-A.

APPELLANT—David Kaufman, for Vioned, Inc., lessee.
SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—148 West 72nd street (Block No. 1143, Lot No. 52), Borough of Manhattan.

APPEARANCES—

For Appellant: None.

For Administration: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(54-34-A)

WHEREAS, David Kaufman, for Vioned, Inc., lessee, filed, February 27, 1934, an appeal with the Board of Standards and Appeals, from a decision of the commissioner of buildings, affecting premises 148 West 72nd street (Block No. 1143, Lot No. 52), Borough of Manhattan; and

WHEREAS, the appellant failed to complete his papers, though duly notified to do so.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

PETITIONS FOR VARIATIONS.

87-34-S.

PETITIONER—I. L. Crausman, for Ellaner Realty Co., owner.

SUBJECT—Petition for variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—599a-603 Fifth avenue (Block No. 1053, Lot Nos. 1 and 3), Borough of Brooklyn.

APPEARANCES—

For Petitioner: I. L. Crausman.

ACTION OF BOARD—Petition granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(87-34-S)

WHEREAS, I. L. Crausman, for Ellaner Realty Co., owner, filed April 2, 1934, amended May 10, 1934, a petition for a variation from the requirements of the labor law as cited in a decision of the commissioner of buildings affecting premises 599a-603 Fifth avenue (Block No. 1053, Lot Nos. 1 and 3), Borough of Brooklyn; and

MINUTES

WHEREAS, the decision of the commissioner of buildings, dated May 10, 1934, re: Applic. No. 1016 and 1437-34, reads:

"1. Exit facilities to be remote from each other as required by section 271 of the labor law"; and

WHEREAS, the building is non-fireproof, 4 stories (46 feet) in height, 54 feet 6 inches by 75 feet in area at 1st story and 54 feet 6 inches by 52 feet in area above; OCCUPIED: 1st story, stores; upper stories, tenant factory and two families; located within a business district; EXITS: two interior wooden stairways, extending from the 1st story (the southerly stairway extends to top story with iron ladder to roof scuttle) enclosed in fire resisting partitions with fireproof doors at openings; the northerly stairway is enclosed in non-fireproof partitions with wood doors at openings; two fire escapes, one on the front and one on the rear of the building, having fireproof openings along the course at the front and non-fireproof openings at rear; extending from the 2nd story to top story with gooseneck ladder to roof and sliding drop ladder to yard at rear, a counter-balanced stairs to sidewalk at front; ROOFS of adjoining buildings: same level at north; and

WHEREAS, the petitioner proposes to alter and remodel the building; remove the northerly interior stairway throughout its entire length; on each story above the 1st story to cut openings through the brick division wall, and remove all stud and plaster partitions; also to extend the 2nd story fire-escape balcony at rear, by constructing an iron passageway over the roof of 1st story extension to the Prospect avenue front, with a sliding drop ladder in guides reaching the sidewalk; Item No. 1 of Order No. 75720-LD will be complied with by extending the interior stairway to the roof; the proposed occupancy: 1st story, stores; upper stories, tenant factories; 20 persons on each of 2nd and 3rd stories; 45 persons on 4th story; the petitioner claims the building was erected in 1897; that the interior stairs is enclosed in fire resisting partitions, a labor law fire escape at front and a 60 degree fire-escape at rear provide adequate means of egress and comply with the spirit of the law and the rules of the Board of Standards and Appeals; furthermore, fire extinguishers will be distributed throughout the premises in accordance with the approval of the commissioner.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the petition be and it hereby is *granted on condition* that not more than two openings on each floor shall be constructed in the brick wall between the building at Nos. 601 to 603 5th avenue and the building at No. 599a 5th avenue; that these openings shall be widely separated and shall not exceed 4 ft. in width each; that all such openings shall be protected with approved underwriters' fire doors; that all existing partitions forming rooms in the building at No. 599a 5th avenue shall be removed on the 2nd, 3rd and 4th floors and the stairs in this building shall be removed from roof to street; that there shall be maintained on the rear of this building at No. 599a 5th avenue a substantial fire escape with balconies not less than 3 ft. in width and stairs at not more than a 60 degree angle and with a gooseneck ladder to the roof, this fire escape to be connected at approximately the second story level with a steel runway as indicated on the plans filed with this petition, this runway to extend across the roof of the one story extension with a sliding drop ladder to Prospect avenue; that this steel runway shall be protected with flame plates underneath; that the existing bulkhead on the extension roof leading from the next building east to the existing freight elevator at the rear of No. 603 5th avenue shall be completely removed; that the existing stairway in the building at Nos. 601 to 603 5th avenue shall be at least 44 in. wide and shall be enclosed in approved fire retarding partitions for its entire length continuously from the roof bulkhead to Prospect

avenue exit door; that all doors exiting into this stairway from roof to cellar shall be fireproof, self-closing; that the fire escape on Prospect avenue where indicated shall be an approved labor law fire escape with a counter-balanced stair to Prospect avenue; that all windows on the rear of the building Nos. 601 to 603 5th avenue shall be either fireproof self-closing or protected with approved steel shutters; that all windows on the rear of the building at 599a 5th avenue shall be fireproof windows complying with the requirements of the labor law; that the floor framing in the building at 599a 5th avenue where stair is to be removed shall be reinforced so that each superficial foot shall have a carrying capacity of at least 60 pounds live load; that factory work carried on on the 2nd, 3rd, and 4th floors of these buildings shall be of a light nature consisting of needle work or similar type; that the total occupancy of each floor shall not exceed 40 persons; that such auxiliary fire fighting appliances shall be installed throughout the building as are required by the commissioner; that other than as modified herein the building shall comply with the requirements of the labor law in all respects; that all permits shall be obtained within 30 days and all work completed within 60 days from the date of this action.

97-34-S.

PETITIONER—Ansonia Fire Prevention Eng. Co., Inc., for Inter-Regional Properties, Inc., owner.

SUBJECT—Petition for variation of the labor law as cited in orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—48-56 West 48th street (Block No. 1263, Lot No. 61), Borough of Manhattan.

APPEARANCES—

For Petitioner: Herman E. Horwood, Frank Morris.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(97-34-S)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Inter-Regional Properties, Inc., owner, filed April 4, 1934, a petition for a variation from the requirements of the labor law as cited in orders and a decision of the commissioner of buildings, affecting premises 48-56 West 48th street (Block No. 1263, Lot No. 61), Borough of Manhattan; and

WHEREAS, the orders of the commissioner of buildings, dated June 5, 1933, reads:

"Order No. 4730-LF—

"Inspection shows the following to be necessary to make the above premises to comply with the requirements of the labor law.

"1. Install an adequate interior electric fire alarm system in accordance with the rules of the Board of Standards and Appeals and the enclosed approved layout";

and

"Order No. 4731-LF—

"Inspection shows the following to be necessary to make the above premises to comply with the requirements of the labor law.

"1. Institute a fire drill. Section 279 of the labor law";

and

MINUTES

WHEREAS, the decision of the commissioner of buildings, dated March 15, 1934, reads:

"In reference to your request to rescind the following Orders pending against the above premises and requiring the following:

"Order 4731-LF—Item 1.

"Institute a fire drill.

"Order 4730-LF—Item 1.

"Install an adequate interior electric fire alarm system in accordance with the rules of the Board of Standards and Appeals and the enclosed approved layout.

"As the premises is a non-sprinkled tenant factory building with more than 10 per cent. and more than twenty-five persons in the building and above the ground floor employed at factory work, your request must be denied";

and

WHEREAS, the building, erected in 1925 is fireproof, 16 stories (173 feet) in height, 95 feet by 100 feet 5 inches in area at 1st story and 95 feet by 90 feet in area above; OCCUPIED: as a tenant factory; cellar storage, 39 persons; 1st story, stores, 75 persons; upper stories, offices and factory work, 48 persons per story, located within a retail district; EXITS: a fire tower; an interior fireproof stairway, extending from the 1st story to roof, enclosed in fireproof partitions with fireproof doors at openings; and

WHEREAS, the petitioner claims the Board granted a temporary factory occupancy under Cal. No. 81-27-S, terminating at the expiration of each lease, but not later than September 12, 1936; on condition that not more than 50 persons in all, nor more than 5 persons on any floor shall be engaged at factory work; and also, not more than 5 per cent. of the total floor area shall be used for manufacturing purposes; the institution of fire drills where there is only 5 persons per story doing factory work, the certificate of occupancy permitting 48 persons per story would cause 43 persons per story doing non-factory work to leave their offices unprotected; under the resolution of prior case, the factory occupancy is being reduced and in a short time will be less than that which requires the installation of a fire alarm system and the institution of fire drills; to install a fire alarm system would incur a large expense, and under the existing conditions to conduct fire drills would be very difficult; furthermore, the petitioner contends the building is operated principally for office use, the factory work being such as the setting of jewels and adjustment of watches; that Order Nos. 4730-LF and 4731-LF should be held in abeyance until September 12, 1936; and

WHEREAS, this building in the opinion of the Board does not come under classification of factory building in that only a minimum amount of manufacturing is permitted for a temporary period only under resolution adopted by the Board under Cal. No. 81-27-S.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law and that the petition be and it hereby is *modified*, as to Orders of commissioner of buildings Nos. 4730-LF and 4731-LF, *for a period to terminate September 12, 1936, on condition* that the requirements of the resolution of the Board adopted under Cal. No. 81-27-S on September 12, 1933, shall be complied with in all respects; that no additional floor area shall be leased for factory purposes other than what is now so occupied.

APPLIANCES SUBMITTED FOR APPROVAL.

341-33-SA.

PETITIONER—Volcano Burner Corporation, owner.

SUBJECT—Application for reopening—Volcano Automatic Oil Burner—amendment to include the approval of Models EW-1-S and EW-2. (Model EW-1 previously approved.)

APPEARANCES—

For Petitioner: Ernest Camerino.

ACTION OF BOARD—Petition reopened, restored to calendar, placed on reserve calendar and referred to the engineer of the board for inspection and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

86-34-SA.

PETITIONER—H. M. Ficken, for Sterling Materials Co., Ltd., owner.

SUBJECT—Challenger Oil Burner, Model "A", approval of.

For Petitioner: H. M. Ficken.

ACTION OF BOARD—Appliance approved.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(86-34-SA)

WHEREAS, H. M. Ficken, for Sterling Materials Co., Ltd., owner, filed, April 2, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Challenger Oil Burner, Model "A"; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This is a mechanical draft pot type burner made to use No. 1-2 or 3 commercial fuel oils. The burner consists of a vaporizing bowl, an air tube, Torrington blower and a 1/125 H.P. motor and a constant level valve unit embracing a magnetic oil control valve, type MA, manufactured by the Automatic Products Co.; a Jefferson transformer, which steps the current down from 110 to 20 volts, on which voltage the thermostat and magnetic valve operate. The boiler is equipped with a Pressuretrol, manufactured by the Minneapolis Honeywell Company.

Ignition—To start the burner going, the oil must be ignited manually. From then on, an oil pilot light is used. The oil flows by gravity to the constant level valve which permits it to flow to the bowl by means of a metering valve, located in the discharge side of the constant level valve. The oil is maintained at a 3/8" level covering the bottom of the burner bowl. When this level has been reached, the constant level valve closes, and allows no more oil to flow to the burner. Should this for any reason fail, the oil rises another 1/8" and then overflows the constant level valve into another chamber in which there is a float attached to a safety trigger. When the oil rises in the second chamber the rising float shuts off the metering valve and prevents any oil from entering the burner. The constant level valve must then be reset by hand.

The metering valve is designed so that at all times, a few drops of oil are allowed to run to the burner.

MINUTES

This is the oil which is used to maintain the pilot light. When the oil, on starting, is admitted to the burner, the air coming into the bowl through perforations in its side mixes with it and is ignited by the pilot light.

The bottom of the bowl is kept cold by the oil coming into it and by the air circulating up around its side. When the thermostat calls for heat, the magnetic oil valve is actuated and permits the oil to flow to the burner from the constant level valve.

The burner was tested by flooding the bowl and again by flooding the constant level valve, and it was found that no abnormal supply of oil was able to enter the burner, due to the operation of the safety mechanism of the constant level valve.

Therefore, the undersigned recommends that the Challenger Oil Burner, Model "A", when installed in

accordance with the Fuel Oil Rules adopted by the Board of Standards and Appeals, be approved for domestic and commercial use.*

This device has been approved by the Underwriters Laboratories, Guide No. 300.10.4, file No. M.P. 920.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Challenger Oil Burner, Model "A"; for use in domestic and commercial installations with fuel oil not heavier than No. 3 when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

Adjourned, 4:05 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

CORRECTION*

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday, May 1, 1934, as they appeared in Bulletin No. 19, Vol. XIX, are hereby corrected to read as follows:

359-33-SA.

PETITIONER—Morrissey & Company, owner; H. A. Cobb, agent.

SUBJECT—Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1, approval of.

APPEARANCES—

For Petitioner: None

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles of the fire department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(359-33-SA)

WHEREAS, Morrissey & Company, owner, filed, November 13, 1933, a petition with the Board of Standards and Appeals for approval of the device known as the Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner consisted of a fan, driven by a Holtzer Cabot Motor, 1/4 H.P.; Purolator strainer; Viking pump; Detroit lubricator regulating and cut off valve, and a Detroit lubricator nozzle.

Ignition—electric.

Webster transformer 110-10,000 volts.

Controls—A Protecto-relay, Type R-103-4; Protectostat, Model H-3; Pressuretrol, Type L-404-2, manufactured by the Minneapolis Honeywell Company.

This burner was run with the oil shut off and a cold combustion chamber, and the control operated and shut the burner down in 66 seconds.

The Models MA-2, MA-3 and MP-1 are of the same design as this burner, and differ only in the size of motor and fan used. During the period of test on this burner there were no puff backs or flares and the flame burned without any smoke or soot. Examination of combustion chamber showed no undue deposits of carbon. Examination of the electrodes when in operation, showed spark was of sufficient intensity and length to properly ignite the oil.

The Model SP-1 was tested at 401 Carroll street, Brooklyn, and consisted of the following parts:

A fan driven by a Holtzer Cabot motor, 1/6 H.P.; Tutill pump; Cuno strainer; Detroit lubricator cut off and relief valve; Detroit lubricator nozzle.

Ignition—Electric.

Webster transformer 110-10,000 volts.

Controls—Protecto-relay Stack control Model R-117-3, manufactured by the Minneapolis Honeywell Company, and a pressure switch, Model 33, manufactured by the Time-O-Stat Company.

Electrodes were tested first and the spark was found to be of sufficient intensity and length for proper ignition.

With the oil shut off and a cold combustion chamber, the burner was started and at the end of 95 seconds operation, the stack control shut down the motor.

The burner was then operated under normal conditions, and during this time there was no evidence of any puff backs or flares, and examination of combustion chamber showed no undue deposits of carbon.

The SP-2 burner is the same as above described model, with the exception that larger motors and fans are used. As a result of these tests, the undersigned recommended that these oil burners, namely, SP-3, MP-1, MA-4, MA-2, MA-3, SP-1 and SP-2, be approved for domestic, commercial and industrial use, when installed in accordance with the rules of the Board of Standards and Appeals.

Further, I wish to invite attention to the fact that these oil burners have been approved by the National Board of Fire Underwriters, Underwriters Laboratory Guide 300.10.4. File MP-267.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Morrissey Oil Burner Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1, for use in domestic, commercial and industrial installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

*Correction—"MP-1" changed to "SP-2" in line 60 of resolution.

MINUTES

CORRECTION*

The minutes of the meeting of the Board of Standards and Appeals held Tuesday May 1, 1934, as they appeared in Bulletin No. 19, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION— (23-34-SA)

WHEREAS, Harry T. Clark, for Webster Electric Co., owner, filed, January 29, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Webster Fuel Oil Pump, Type A; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

*Correction—The word "Burner" omitted in line 22 of resolution.

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The assembly and workmanship on this fuel unit is very good, and as a whole, it is very well constructed.

The purpose of the unit is to combine in one casing, strainer, pump and regulating valve. As a result of the examination of the various parts of this unit, it is recommended that the same be accepted for use in New York City, when installed in accordance with the rules of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Webster Fuel Oil Pump, Type A, for use in oil burning installations when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
Deming Fuel Oil Pump.....	298-31-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Enterprise Oil Pump.....	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Triplex Plunger.....	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Warren Oil Pump.....	1169-23-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Koerting Gear Pump.....	1264-25-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Appliances Submitted for Approval.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

534-31-SA—Page Fuel Burner.

209-32-SA—Croker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

165-33-SA—Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner).

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

222-33-SA—Dowie Combination Anti-Syphon Valve.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

341-33-SA—Volcano Automatic Oil Burner, Models EW-1-S and EW-2.

346-33-SA—Goodspeed Oil Burner Nozzle Type II.

349-33-SA—Herco Oil Burner.

1-34-SA—Hager Silent Check Valve.

32-34-SA—Super Oil Burner for Pressing Machine.

33-34-SA—Tridex Cleaning Machine.

36-34-SA—Utility Oil Burner, Model A.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

69-34-SA—Max Ashpes Pot Type Oil Burner.

77-34-SA—Packard Fuel Oil Burner.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

102-34-SA—Bock Oil Burning Water Heater.

105-34-SA—Kelvinator Oil Burner, Model K.

108-34-SA—Wheco Oil Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	21
Cases filed up to May 16, 1934.....	132	Dismissed	11
Restored to Calendar.....	37	Denied	64
		Granted	0
		Granted on condition.....	80
		Appliances approved	26
		Appliances dismissed, disapproved or withdrawn....	23
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS		MISCELLANEOUS ACTIONS.	
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Requests for modification.....	1	Requests to amend granted.....	41
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	25	Requests for modification granted.....	1
Requests for extension of permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	7	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	25
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	590	Requests for extension of permit granted.....	9
Disposed of	434	Requests for extension of permit denied.....	0
Cases pending May 16, 1934.....	156	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	7
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	7
		Total.....	434

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN OF THE BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 22

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

VINCENT C. PEPPE

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, May 22, 1934, at 10 A. M.

Minutes of Regular Meeting, May 22, 1934, at 2 P. M.

Correction.

Notice of Public Hearing on Proposed Revision of Fuel Oil Rules.

Reserve Calendar.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, May 28, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, June 4, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to May 23, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
139-34-S.....	D.B.B.....	115 - 117 Manhattan avenue (Block 3060, Lot 19), Brook- lyn. Applic. 4528-34.
138-34-BZ.....	D.B.Bx...	Northeast corner Nereid ave- nue (East 238th street) and Furman avenue (Block 5071, Lot 3), The Bronx. N. B. 45-34.
137-34-BZ.....	D.B.Q....	125-08 to 125-14 Queens boulev- ard (Block 3360, part of Lot 27 and Lots 28 and 29), Kew Gardens, Queens. Plan 350-34.
136-34-SA.....	F.D.....	Korth Oil Burner—Model G, Appliance.
135-34-BZ.....	D.B.B....	822-840 Pennsylvania avenue (Block 4346, Lots 17 and 20), Brooklyn. Applic. 14951-33.
134-34-A.....	F.D.....	472 Sackman street (Block 3778, Lot 30), Brooklyn. Order No. 64742-C.
133-34-BZ.....	D.B.B....	2411-2427 Warehouse avenue Block 6927, Lot 7), Brooklyn. Applic. 4892-34.

Restored to Calendar.

257-33-BZ.....	D.B.Q....	West side 46th street, 100 ft. north of 43rd avenue (Block 156, Lot 5 and part of Lots 9 and 31), Woodside, Queens. N. B. 867-33.
717-28-BZ.....	D.B.M....	152-164 East 87th street (Block 1515, Lots 46, 47, 49, 50 and 51), Manhattan. Alt. 931-34.
1024-27-BZ.....	D.B.Bx...	1650-1664 Jerome avenue and 1-9 East 174th street, north- east corner (Block 2848, Lot 1), The Bronx. Alt. 599-32.
108-26-BZ.....	D.B.M....	4913-4923 Broadway (Block 2241, Lots 25, 26 and part of Lot 28), Manhattan. N. B. 39-34.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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Elevator Rules.....	Dec.	12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov.	14, 1933—Vol. 18 No. 46
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LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	May	15, 1934—Vol. 19 No. 20
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CALL OF CLERK'S CALENDAR

MONDAY, MAY 28, 1934, AT 2 P. M.

Building Zone Cases.

81-34-BZ.	APPLICANT—Samuels & Samuels, for Girolomo Staropoli, owner.
	PREMISES—196-08 Hillside avenue, south side, 50.42' east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.
39-34-BZ.	APPLICANT—Hlavac & Dlouhy, for Little Neck Investors, Inc., owner
	PREMISES—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a residence district the change of occupancy of an existing building to business use (restaurant).
118-34-BZ.	APPLICANT—Samuels and Samuels, for Robert Ward, owner.
	PREMISES—1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Brooklyn.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.

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418-31-BZ.

APPLICANT—McCabe and Hickey, for Gerwan Realty Co., Inc., owner.

PREMISES—1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened January 23, 1934).

CAL. NO. 459-32-BZ—Application of Mildred I. Hefter, owner, reopened April 10, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and also a motor vehicle repair shop; premises Southeast corner of Merrick boulevard (road) and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

MAY 29, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 29, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 1213-24-BZ—Application of Charles Schaefer, Jr., on behalf of T. & R. Construction Co., Inc., owner, reopened October 3, 1933, under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station; premises southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

CAL. NO. 78-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Cross Bay Theatre, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

CAL. NO. 100-34-BZ—Application, April 12, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Kariene Burke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 101-34-BZ—Application, April 13, 1934, under section 21 of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of P. M. H. Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.

MAY 29, 1934, 2 P. M.

Appeals from Administrative Orders.

106-34-A—27-33 West 20th street (Block No. 822, Lot No. 15), Manhattan.

122-34-A—7418 3rd avenue, northwest corner of West 75th street (Block No. 5928, Lot No. 45), Brooklyn.

94-34-A—1959 Park avenue (Block No. 1780, Lot No. 1), Manhattan.

98-34-A—598 Broadway and 132 Crosby street (Block No. 511, Lot No. 15), Manhattan.

110-34-A—168 Walworth street (Block No. 1751, Lot No. 41), Brooklyn.

112-34-A—123 West 57th street (Block No. 1010, Lot No. 15), Manhattan.

Appliances Submitted for Approval.

124-34-SA—Alida Oil Burner.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

132-34-SA—Acme Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, May 29, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 14-34-BZ—Application, January 23, 1934, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Isaac D. Reynolds, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41), East Elmhurst, Borough of Queens.

CAL. NO. 65-34-BZ—Application, March 8, 1934, under section 21 of the building zone resolution, of Burke & Olsen, applicants, on behalf of Domenick Schirripa, owner, to permit in a business district the erection and maintenance of a refrigerating plant; premises 5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

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CALL OF CLERK'S CALENDAR

MONDAY, JUNE 4, 1934, AT 2 P. M.

Building Zone Case.

47-34-BZ.

APPLICANT—Crescent L. Varrone, for Abrem Cohen, owner.

PREMISES—East side of 95th street, 100' north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the replacement of a frame lumber shed with a concrete structure.

JUNE 5, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 5, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 107-34-BZ—Application, April 19, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of John Bauer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

CAL. NO. 993-26-BZ—Application of Jacob A. Freedman, on behalf of Leo Schumer, owner, reopened March 27, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

CAL. NO. 76-34-BZ—Application, March 24, 1934, under section 21 of the building zone resolution, of Arverne Bay Construction Company, applicant and owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.

CAL. NO. 95-34-BZ—Application, April 9, 1934, under sections 7c and 21 of the building zone resolution, of Edward P. Doyle, applicant, on behalf of Francesco Cassano, owner, to permit partly in a residence district and partly in an unrestricted district, the erection and maintenance of a baker shop and also the omission of the required rear yard; premises

east side of Linden street (avenue), 50 ft. south of 34th avenue (Park place); (Block No. 4951, Lot No. 27), Flushing, Borough of Queens.

CAL. NO. 96-34-BZ—Application, April 9, 1934, under section 21 of the building zone resolution, of Kennedy & Ellner, applicants, on behalf of Milfan Building Corp., owner, to permit partly in a residence district and partly in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1934, 2 P. M.

Petition for Variation.

91-34-S—536-538 West 20th street (Block No. 691, Lot No. 1), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 5, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CAL. NO. 111-33-BZ—Application of Conroy and Hardy, on behalf of Christ G. Callas, owner, reopened May 15, 1934, for consideration as to an extension of time to complete work, time having expired, re: Application, under section 7-F of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica Bay boulevard and Morrell avenue (Block No. 4046, Lot No. 82), Howard Beach, Borough of Queens.

CAL. NO. 1149-24-BZ—Application of Croker Fire Prevention Corp., on behalf of Herman W. J. Bruning, owner, reopened May 15, 1934, for consideration as to extension to permit re: Application, under section 21 of the building zone resolution, permitting in a residence district the maintenance of an existing garage for six (6) motor vehicles for a temporary period of two (2) years; premises 63-63½ Schaeffer street (Block No. 3421, Lot Nos. 57 and 58), Brooklyn.

CAL. NO. 7-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Henry C. Brucker applicant, on behalf of Salzi Homes, Inc., owner, to permit partly in a business district and partly in a residence district, the

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erection and maintenance of a gasoline service station; premises southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

CAL. NO. 56-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joseph Cafiero, owner, to permit in a business district the erection and maintenance of a petroleum storage plant; premises 2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Brooklyn.

CAL. NO. 375-33-BZ.—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

CAL. NO. 35-34-BZ.—Application, February 9, 1934, under section 21 of the building zone resolution, of Samuel Roth, applicant, on behalf of Fannie Levy, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 11, 1934, AT 2 P. M.

Building Zone Cases.

26-34-BZ.

APPLICANT—Larry Meltzer, for Victor Meyer, owner.
PREMISES—601-629 Avenue "R", northeast corner of Ocean parkway (Block No. 6663, Lot No. 47), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to a motor vehicle repair shop.

130-34-BZ.

APPLICANT—Croker Fire Prevention Corp., for John Bertorello, owner.

PREMISES—52 West 54th street (Block No. 1269, Lot No. 70), Borough of Manhattan.

APPLICATION, under sections 7b and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the change of occupancy of part of an existing building to business use.

644-20-BZ.

APPLICANT—Samuel Rosenblum, for H. P. C. Corp., owner.

PREMISES—1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station (reopened April 24, 1934).

JUNE 12, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 12, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters.*

CAL. NO. 108-26-BZ—Application of Eugene De Rosa, on behalf of Emerdyck Realty Corp., owner, reopened May 22, 1934, for an amendment of resolution as to area of proposed theatre building—re Application, under sections 7b and 21 of the building zone resolution, to permit the extension from a business district into a residence district of a proposed theatre building; premises 4913-4923 Broadway (Block No. 2241, Lot Nos. 25, 26 and part of Lot No. 28), Borough of Manhattan.

CAL. NO. 717-28-BZ.—Application of Frank J. Schefcik, on behalf of Theodore Ornstein, present owner, reopened May 22, 1934, to amend the resolution, to permit the erection of a pent house for additional car storage—re Application, under sections 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JUNE 12, 1934, 2 P. M.

Appeals from Administrative Orders.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

JUNE 15, 1934, at 2 P. M.

SPECIAL MEETING.

Rules

217-21-SR—Fuel Oil Rules, Proposed Revision of.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MAY 22, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, May 15, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, May 15, 1934, were approved as printed in Bulletin No. 21, Vol. XIX.

BUILDING ZONE CASES.

7-34-BZ.

APPLICANT—Henry C. Brucker, for Salzi Homes, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

APPEARANCES—

For Applicant: Henry C. Brucker.

For Opposition: George L. Knott, Mrs. C. Stutz, Alderman Edward E. Buhler, David S. Ward.

ACTION OF BOARD—Laid over to June 5, 1934, at 2 p. m., for report of committee of inspection. No further argument.

56-34-BZ.

APPLICANT—Lama and Proskauer, for Joseph Gafiero, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a petroleum storage plant.

PREMISES AFFECTED—2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: John H. Borrie.

ACTION OF BOARD—Laid over to June 5, 1934, at 2 p. m., on request of attorney for objectors.

993-26-BZ.

APPLICANT—Jacob A. Freedman, for Leo Schumer, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened March 27, 1934).

PREMISES AFFECTED—5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Minnie Transky.

For Opposition: Alderman Isnardi, William G. Linder.

ACTION OF BOARD—Laid over to June 5, 1934, at 10 a. m., on request of attorney for applicant.

331-33-BZ.

APPLICANT—Emil Guterman, for Litvan Holding Corporation, owner.

SUBJECT—Request for reopening—reconsideration under new facts—re Application (decision of the commissioner of buildings under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent: Commissioner Peppe 1

1024-27-BZ.

APPLICANT—I. L. Crausman, for 174th street and Jerome Avenue Realty Corp., owner.

SUBJECT—Application for reopening—amendment of resolution to permit an alcove gasoline service station—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1650-1664 Jerome avenue and 1-9 East 174th street, northeast corner (Block No. 2848, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: I. L. Crausman.

ACTION OF BOARD—Application reopened, to be set for calendar call.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe 1

717-28-BZ.

APPLICANT—Frank J. Schefcik, for Theodore Ornstein, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under sections 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Schefcik and Theodore Ornstein.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing June 12, 1934, at 10 a. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

MINUTES

Negative 0
Absent: Commissioner Peppe..... 1

108-26-BZ.

APPLICANT—Eugene De Rosa, for Emerdyck Realty Corporation, owner.

SUBJECT—Application for reopening—rehearing on revised plans—(re decision of commissioner of buildings) under sections 7(b) and 21 of the building zone resolution, to permit the extension from a business district into a residence district of a proposed theatre building.

PREMISES AFFECTED—4913-4923 Broadway (Block No. 2241, Lot Nos. 25, 26 and part of Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Eugene De Rosa.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing June 12, 1934, at 10 a. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

84-34-BZ.

APPLICANT—Koch & Wagner, for Lincoln Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7c of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank).

PREMISES AFFECTED—7423-7427 Fifth avenue, northeast corner of Bay Ridge parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frederick Weisbrod and Arthur R. Koch.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(84-34-BZ)

WHEREAS, Koch & Wagner, for Lincoln Savings Bank, owner, filed March 30, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank); premises: 7423-7427 Fifth avenue, northeast corner of Bay Ridge parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 22, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 5th avenue is in a business district, Bay Ridge parkway is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 13, 1934, re: Applic. No. 2116-1934, reads:

"Proposition is contrary to article 2, section 3 of building zone resolution, as proposed business building extends partly into a residential district."

and

WHEREAS, the proposed building is to be of fireproof construction two (2) stories in height, with a frontage of 46 ft. 1 in. on 5th avenue and 98 ft. on Bay Ridge parkway, to be occupied as a business building (bank). A small triangular portion approximately 7 ft. 6 in. by 19 ft. in area of the proposed building is in the residence use district; and

WHEREAS, the Board deemed that it was empowered to act under Section 7-c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under Section 7-c, permitting the proposed building as indicated on plans filed with this application to extend into the residence zone for a distance of, approximately, 7 ft. 6 in. as indicated, waiving the requirements for unbuilt-upon yard or court space, *on condition* that the building shall comply with all the laws and regulations applicable thereto other than as permitted by this variance of the zoning resolution.

528-31-BZ.

APPLICANT—Thomas O'Rourke Gallagher, for George W. Horr, owner.

SUBJECT—Application for extension of permit—re Application (decision of the superintendent of buildings) permitting in a business district the erection and maintenance of a gasoline service station, this application originally filed under section 21, but granted under section 7f of the building zone resolution (reopened April 27, 1934).

PREMISES AFFECTED—70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Thomas O'Rourke Gallagher.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(528-31-BZ)

WHEREAS, this application affecting premises 70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Borough of Queens, was granted by the Board March 18, 1932, under section 7, subdivision F, for a temporary period of two years, on certain conditions; and

WHEREAS, on April 17, 1934 (after the time limit had expired), a request was made for an extension of time and on April 27, 1934, the Board reopened the application, waived the Calendar Call and set the case for a public hearing on May 22, 1934; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting May 22, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, it appears that there has been no change in the surrounding conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, reaffirming the resolution adopted by the Board on March 18, 1932, for a *temporary period of two (2) years* from the date of this action, under Section 7-F.

MINUTES

493-32-BZ.

APPLICANT—Joseph B. Schwartz, for Manhattan Railway Company, owner.

SUBJECT—Application (re decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution; reopened and restored to calendar November 21, 1933).

PREMISES AFFECTED—999-1015 Columbus avenue and 360-368 Cathedral parkway, southeast corner (Block No. 1845, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Miss C. Johnston.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(493-32-BZ)

WHEREAS, Joseph B. Schwartz, for Manhattan Railway Company, owner, filed, September 20, 1932, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station, affecting premises 999-1015 Columbus avenue and 360-368 Cathedral parkway, southeast corner (Block No. 1845, Lot No. 3), Borough of Manhattan; and

WHEREAS, the board at its meeting of December 16, 1932, dismissed this application for lack of prosecution; and

WHEREAS, the board at its meeting of November 21, 1933, reopened and restored this application to the calendar, subject to usual procedure; and

WHEREAS, applicant failed to file the authorization of the Receiver as required by the board.

Resolved, that the application be and it hereby is *dismissed for lack of prosecution* without prejudice to reopening when authorization is obtained.

224-32-BZ.

APPLICANT—W. T. McCarthy, for Herbert C. Fett, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence use "D" area district the erection and maintenance of an extension at the rear of the basement and first story of an existing building.

PREMISES AFFECTED—54 Eighth avenue, west side, 20 ft. 6 in. south of Berkeley place (Block No. 1063, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. T. McCarthy.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(224-32-BZ)

WHEREAS, this application affecting premises 54 Eighth avenue, west side, 20 ft. 6 in. south of Berkeley place (Block No. 1063, Lot No. 38), Borough of Brooklyn, was granted by the board June 21, 1932, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the board on June 21, 1932, so that as amended, the resolution will read: "*Granted* only so far as it affects the increase in the area of the building now on the premises over that allowed in a D-area district, provided the building shall be confined to the dimensions and locations as shown on the revised plans marked 'Received May 8, 1934'; *on condition* that the rear yard not built upon shall be not less than 12 ft. in depth and that there shall be also an open space at the front of the building not less than 6 ft. 9 in. in depth; that the roof of the extension shall not be substantially above the level of the main first floor except for a small portion as indicated, which may be extended up to approximately the level of the second floor; and that all permits shall be obtained within three months and all work completed within six months from the date of this action."

249-32-BZ.

APPLICANT—Abram Shlefstein, for Michelina Volpe, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the maintenance of a motor vehicle repair shop and of a gasoline service station (granted by the board on October 14, 1932).

PREMISES AFFECTED—2-8 Meeker avenue, southeast corner of Manhattan avenue (Block No. 2825, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abram Shlefstein.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(249-32-BZ)

WHEREAS, this application affecting premises 2-8 Meeker avenue, southeast corner of Manhattan avenue (Block No. 2825, Lot No. 1), Borough of Brooklyn, was granted by the board October 14, 1932, on certain conditions, amended July 5, 1933 and November 14, 1933, and applicant requests a further amendment.

Resolved, that the resolution of the Board of Standards and Appeals, adopted October 14, 1932, as amended July 5, 1933 and November 14, 1933, be and it hereby is further amended only so far as it refers to signs advertising nonconforming uses, so that that portion of the resolution shall read: "that any signs advertising nonconforming uses conducted on the premises shall be restricted to one permanent flat sign erected on the parapet of the front of the building, not exceeding three feet in height and one illuminated upright sign, the pole for which shall be

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erected inside the building line of Manhattan avenue, *on condition* that this latter sign shall be of the type usually installed to advertise the make of gasoline sold; that the resolution other than as amended herein and as previously amended shall be complied with in all respects."

618-29-BZ.

APPLICANT—Conroy and Hardy, for Trojan Holding Co., owner.

SUBJECT—Application for reopening—extension of time—re Application decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—651-661 New York avenue, northeast corner of Hawthorne street (Block No. 4815, Lot Nos. 1 and 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(618-29-BZ)

WHEREAS, this application affecting premises 651-661 New York avenue, north east corner of Hawthorne street (Block No. 4815, Lot Nos. 1 and 64), Borough of Brooklyn, was granted by the board May 16, 1933, on certain conditions, amended December 5, 1933, extending time, and applicant requests a further extension of the time limit imposed.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board May 16, 1933, to the effect that all permits shall be obtained within six months and all work involved shall be completed within one year from the date of this action, *on condition* that the resolution adopted by the board on May 16, 1933, other than as amended herein shall be complied with in all respects.

Adjourned, 12:00 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, MAY 22, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

375-33-BZ.

APPLICANT—Martin J. Ort, for Dandern Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), Borough of The Bronx.

APPEARANCES—

For Applicant: B. Sheinman.

For Opposition: William L. Standard.

ACTION OF BOARD—Laid over to June 5, 1934, at 2 p. m., upon request of representative of attorney in opposition.

35-34-BZ.

APPLICANT—Samuel Roth, for Fannie Levy, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

PREMISES AFFECTED—74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Roth.

For Opposition: Emanuel Goldberg, Louis J. Felsteiner, Leonard W. Goldsmith, William Brandt, B. G. Schwartz.

ACTION OF BOARD—Laid over to June 5, 1934, at 2 p. m., for report of committee of inspection. No further argument.

257-33-BZ.

APPLICANT—Alfred H. Eccles, for Oliver Holding Corporation, owner.

SUBJECT—Application for reopening—restoration to the calendar, previously dismissed for lack of prosecution—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the use of a plot to be used for the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—West side of 46th street, 100 ft. north of 43rd avenue (Block No. 156, Lot No. 5 and part of Lot Nos. 9 and 31), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

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59-34-BZ.

APPLICANT—Maxwell H. Lanes, for Estate of Charles A. Peabody, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores).

PREMISES AFFECTED—94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Hugo Levy.

For Opposition: William L. Sayers, Otis S. Carroll, C. G. Bernheimer, William P. Mason, Paul E. Lord, George S. Frank and R. A. Shaw.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent: Commissioner Peppe	1

THE RESOLUTION—

(59-34-BZ)

WHEREAS, Maxwell H. Lanes, for estate of Charles A. Peabody, owner, filed March 2, 1934, an application under the building zone resolution to permit in a residence district the alteration and change of occupancy of part of an existing building from dwelling use to business use (stores); premises: 94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 22, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Monroe place is in a residence district, Clark street is in a residence and business district, Fulton street is in a business district and Henry street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 21, 1934, re: Applic. No. 941-34, reads:

“Proposed stores to be located in a residential use district are contrary to article 2, section 3, zone resolution.”

and

WHEREAS, the existing building, is of non-fireproof construction five (5) stories in height, with a frontage of 25 ft. on Monroe place and 78 ft. on Clark street, to be occupied as stores on the first story and dwellings above; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made, and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 59-34-BZ.

Premises: 94-100 Clark street and 1 Monroe place, southwest corner (Block No. 237, Lot No. 43), Borough of Brooklyn.

This is an application under section 21 for a variance to permit stores in the first story of this building which is located in a district zoned for residence.

The plans filed with this appeal indicate four stores all to open on Clark street. Three of these stores are new and one is an existing store. This existing store is located toward the easterly end of the premises adjoining a store on the abutting lot which has been in

existence since prior to the passage of the zoning resolution. That lot is partly in a residential area and partly in a business area. The plot under appeal has a frontage of 25 ft. on Monroe place and 78 ft. on Clark street and there exists upon this plot a five story brown stone front building formerly a private residence. The present store in the building has apparently existed for a number of years and numerous efforts have been made to have this store use discontinued, but without success, although there have been several court actions to this end. It was stated that this section of Clark street, between the business area along Henry street and the business area along Fulton street, was zoned for residence in 1916, inasmuch as Monroe place is used exclusively for residential buildings. There have been no actions before the Board asking for variances to permit business use along this section of Clark street prior to applications filed during 1933, applying for zoning variances to permit business use at 91 Clark street and 93 and 95 Clark street, both premises being opposite the site under appeal in this case. Both of these applications were denied by the Board under Calendar Nos. 260-33-BZ and 261-33-BZ. The former, relating to 91 Clark street, is now in court for review of the Board's action in denying the variance.

This site and the surrounding section were inspected by a committee of the Board on May 3, 1934, and they found that this building under appeal has already been altered in a manner to permit the new store use, although there were no tenants in the three proposed new stores, but the existing store was occupied by a Chinese hand laundry. The building has been recently renovated and provisions have been made for ten apartments of which eight appear to be occupied. The store across the street at No. 91, which was before the Board in Cal. No. 260 of 1933 BZ, is still in existence as a store for dry cleaning, but there is a sign “to rent” on the building. Another existing non-conforming use appeared in connection with the building at 101 Clark street where a sign on the front window indicated the business use of photography within that building located within a residential area.

In the opinion of the committee, no hardship has been proven. It is clearly an effort on the part of the owner to increase his return from the building, even though in so doing he tends to depreciate the residential property adjoining, particularly on Monroe place. Particular notice should be taken of the action of the Board in denying similar business use directly across the street at No. 91 and 93 and 95. While Clark street has considerable traffic, in the opinion of the committee this particular section of Clark street is properly zoned for residence use and, as the distance between the business areas is relatively so short that, had the Board granted the applications at 91 and 93-95 and also should grant the application in this case, the result would be a large proportion of the frontage along Clark street would be in effect changed from residence use to business use, and this Board would accordingly be infringing upon the powers of the Board of Estimate. If the applicants in this case believe that this portion of Clark street is wrongly zoned for residence use instead of business use, they should petition the Board of Estimate for such change.

The committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the Board deemed that applicant had failed

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to substantiate his basis of appeal under Section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

28-34-BZ.

APPLICANT—John J. Dunnigan, for Nac Holding Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: John J. Dunnigan.

For Opposition: John D. Connaughton and Walter N. Spooner.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent: Commissioner Peppe	1

(28-34-BZ)

WHEREAS, John J. Dunnigan, for Nac Holding Corporation, owner, filed January 31, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 2227-2229 Boston road, southwest corner of Thwaites place (Block No. 4339, Lot Nos. 28 and 29), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 22, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boston road is in a business district, Thwaites place is in a residence and business district and Olinville avenue is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 25, 1934, re: Applic. Alt. 26-1934, reads:

"1. Proposed alteration and conversion of building in business district to be used as gasoline service station is contrary to provisions of building zone resolution.";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. on Boston road, 137.2 ft. on Thwaites place, and 67.3 ft. on Olinville avenue. The north and westerly portion of the plot is developed with a one-story structure occupied by stores; this structure having a frontage of 25 ft. on Boston road, 137.2 feet on Thwaites place and 67.3 ft. on Olinville avenue. The south part of the plot, having a frontage of 25 ft. on Boston road and a distance of 106 ft. along the south lot line, is vacant except for a partly demolished structure facing on Boston road. It is proposed to alter part of the existing structure (having a frontage of 50 ft. on Thwaites place) and to erect on this part of the plot a one story five (5) car garage having a frontage of 50 feet and a depth of 50 feet; the garage to be separated from the remainder of the structure by brick walls; the south wall of the existing stores (within garage space) to be removed; it is also proposed to remove the entire Boston road front and part (18 ft.) of the Thwaites place street walls of the structure and part of south wall of stores, and to use the east part of the plot —40 ft. on Thwaites place and 50 ft. on Boston road as

auto laundry, grease pits and gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, report of which inspection was read at the hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 28-34-BZ.

Premises: 2227-29 Boston road, southwest corner Thwaites place (Block No. 4339, Lot Nos. 28 and 29), Borough of The Bronx.

The application in this case is for a variance of the application of the building zone resolution, under section 21, to permit the alteration and conversion of a building in a business district to a gasoline service station and private garage.

The premises under appeal are located between Boston road and Olinville avenue and Thwaites place, on a plot slightly irregular in shape, 137 ft. on Thwaites place, 50 ft. on Boston road and 67 ft. on Olinville avenue. On a portion of this lot there are now one-story store buildings. On the southerly portion there was formerly a one-story store building which is now partially wrecked. The balance of the block is now occupied by an existing gasoline station which was in existence prior to the passage of the amendment to the zone resolution prohibiting gasoline stations in business districts, and several stores, one facing Olinville avenue and two facing the square formed by the intersection of Olinville avenue, Boston Post road and Pelham parkway. These stores are not correctly indicated on the plans filed with this appeal nor clearly shown on the photographs submitted, but were observed by the committee of the Board in making inspection of the premises under appeal and the adjoining section on May 10th, 1934. These stores on the adjoining property are all occupied and apparently successful. In addition to the adjoining gasoline station, there is another station directly across Boston Post road and two existing stations at the corner of Astor avenue approximately 400 ft. away, which stations enjoy a temporary permit for two years only. There are several other gasoline stations within sight of these premises.

In inspecting the existing building, the committee noted that while the corner building at Boston Post road was occupied the other small stores appeared to be vacant. It was also noted that the building was in poor repair and that there was no adequate heating system and the cellars were wet from leaking pipes.

In addition to the gasoline station proposed to face on Boston Post road, the rear 50 ft. by 50 ft. is proposed as a five car garage, and it is stated that this owner desires this for housing trucks in connection with his work as a highway contractor and does not propose renting space in it. In the opinion of the committee, this is not a proper location for a garage of this type, which would be apt later to develop into a public garage, in spite of the limitation this Board might place upon its use. There certainly can be no further need for gasoline stations in this area. This building, even though adjoining a gasoline station, is arranged for a conforming use and, while it is possible that temporarily tenants are not available, in the opinion of the committee this building should be rentable. The stores were built only three years ago and the adjoining plot where the building is being wrecked was bought last year, so that a real opportunity has not yet been afforded to prove whether these stores can be rented in normal times or not. It should be noted that, under Calendar No. 861-24-BZ, the Board denied an application for a gas station on part of these premises. At that time, the frontage under appeal along Boston Post road was 23 ft. However, the premises were then zoned for residence use, and the use zone was changed to business in 1927.

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The committee is of the opinion that there has been no adequate presentation of hardship shown or proven to justify the Board in granting this variance and recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the Board deemed that the applicant had failed to substantiate his basis of appeal under Section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

68-34-BZ.

APPLICANT—Irrving Kirshenblit, for Sarah Feman, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type).

PREMISES AFFECTED—384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Kirshenblit.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent: Commissioner Peppe	1

THE RESOLUTION—

(68-34-BZ)

WHEREAS, Irving Kirshenblit, for Sarah Feman, owner, filed March 9, 1934, an application under the building zone resolution to permit in a residence district the erection and maintenance of a garage for the storage of five (5) motor vehicles (pleasure car type); premises: 384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 22, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Schenck avenue is in a residence district, Hendrix street is in a residence district, Belmont avenue is in a business district and Sutter avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 7, 1934, re: Applic. No. 1278-1934, reads:

"Five car garage on vacant lot in residential district contrary to B. Z. Res., article 2, section 3, and is therefore denied.";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft. Upon the rear portion of the plot it is proposed to erect a one story non-fireproof structure 50 ft. by 18 ft. in area to be occupied as a garage for five (5) motor vehicles (pleasure car type). Space to be rented to public; and

WHEREAS, the premises in question was the subject of an inspection and report by a committee of the Board, which report was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 68-34-BZ.

Premises: 384-388 Schenck avenue (Block No. 4027, Lot Nos. 19 and 20), Borough of Brooklyn.

The premises covered by this appeal are in a residence district, on the easterly side of Schenck avenue 100 ft. southerly from Belmont avenue. The plot in question is 50 ft. by 100 ft. and is now vacant except for a small shed. There is a wooden fence across the property and there is masons' scaffolding stored on the lot.

The application is under section 21 to permit the construction of a building at the rear of the lot occupying the full width of the lot, to consist of five one-car garages. The owner states it is his intention as soon as conditions improve to erect two 2-family houses on this site and that these garages will then be accessory thereto.

It appears that the premises have been used at times for a stone yard where manufactured stone was stored, but that this use has been given up for at least two years and since then has been vacant except for a small building and the scaffolding herein referred to. He also claimed that from time to time cars have been parked on these lots, but that this was discontinued after a violation was served. The same owner owns the adjoining buildings at the corner of Belmont avenue and Schenck avenue, one of which has been used as a factory.

Inasmuch as this application has been brought under section 21, it is incumbent upon the applicant to prove that there is a hardship existing which would make it impracticable to construct a conforming use. No hardship has been shown or proven. If the proposed residences were constructed, the garages would then be permitted under a recent resolution adopted by the Board of Estimate as an amendment to Section 3, under which the garages would have to be used by the tenants or occupants of the dwellings except that one space in a private garage may be rented for one motor vehicle of other than a commercial type.

In the opinion of the committee that inspected this site on May 10th, 1934, it would be undesirable to grant this variance prior to the erection of the proposed private houses. If the houses were not built there might be application for additional use such as storing and parking of cars and perhaps automobile repairs. In view of this and in view of the fact that no hardship has been shown or proven, the Committee recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application, and the Board deemed that the applicant had failed to substantiate his basis of appeal under Section 21 of the building zone resolution.

Resolved, that the decision of the commissioners of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

73-34-BZ.

APPLICANT—Michael Levine, for Karron & Lieberman, Inc., owners.

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SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station.

PREMISES AFFECTED—1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 in. south of 20th avenue (Block No. 5464, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Levine.

For Opposition: Theodore W. Rose.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent: Commissioner Peppe	1

THE RESOLUTION—

(73-34-BZ)

WHEREAS, Michael Levine, for Karron & Lieberman, Inc., owners, filed March 16, 1934, an application under the building zone resolution to permit partly in a residence district and partly in a business district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station; premises: 1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 in. south of 20th avenue (Block No. 5464, Lot No. 15), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 22, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that McDonald avenue is in a business district, Dahill road is in a residence district, 20th avenue is in a residence and business district and Avenue I is in a residence and business district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 9, 1934, re: Applic. No. 1967-34, reads:

“Proposed public garage for more than five motor vehicles and a gasoline service station to be located partly in a business use and partly in a residential districts, are contrary to article 2, section 3 and Section 4a of zone resolution.”;

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 180 ft. on McDonald avenue, approximately 198 ft. on 20th avenue, 20 ft. on Dahill road and a distance of 200 ft. along the south lot line. There is a small triangular shaped plot having a frontage of approximately 12 ft. on 20th avenue which is not part of plot in question. Part of the westerly portion of the plot is located in the residence district—the remainder is located in the business district. It is proposed to erect on the southeast corner of the plot a one story non-fireproof garage for more than five motor vehicles—100 ft. (on McDonald avenue) by 100 ft. in area and to use the rest of the plot as a gasoline service station including grease pits and a car washing structure; and

WHEREAS, the premises in question was the subject of an inspection and report by a committee of the Board, which report was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 73-34-BZ.

Premises: 1140-1158 McDonald avenue (Block No. 5464, Lot No. 15), Borough of Brooklyn.

The plot under appeal in this application for a zoning variance is more or less triangular in shape with a frontage along McDonald avenue of 180 ft., along Dahill road 20 ft., and along 20th avenue 133 ft. and 64 ft. These latter two dimensions represent frontages along 20th avenue which are interrupted by a small triangular gore approximately 10 ft. by 12 ft., which is not owned by the owners of this plot under appeal. At the intersection of McDonald avenue and 20th avenue there is a triangle which also is not owned by the owners of this plot under appeal, with a frontage of 63 ft. on McDonald avenue and 85 ft. on 20th avenue, and which has apparently been occupied by an oil selling station, but which is now vacant. The plot under appeal is in the business area along McDonald avenue for a depth of 100 ft., the balance of the plot to the west along Dahill road and 20th avenue is in the residence area. It is proposed to build a one-story garage on the southerly portion of the lot and toward the intersection of McDonald and 20th avenues and along the 20th avenue and Dahill road frontages install a gasoline service station with grease pits.

It would appear from the plans submitted showing the office on the northwesterly corner of the garage that the main business will be expected from the 20th avenue side rather than from the McDonald avenue business area. The area to the west and southwest is a highly developed residential area, consisting mainly of private houses, but with several apartments. The objectors to this proposed non-conforming use mainly come from the owners in this residential area, who insist they are entitled to the protection of the residential zoning and should be protected from the injury they would suffer if this application is granted and their street permitted to become another Jerome avenue. The objectors also pointed out that the consents filed were mainly from owners of vacant property who might expect some variation to be granted to them along McDonald avenue, if this variance were permitted. On the McDonald avenue side there is an elevated structure and also trolley tracks and to the north the yards of the Interborough Rapid Transit Railway. The property along McDonald avenue at this point is very largely vacant, although there are buildings with stores opposite this property under appeal. It should be noted also that this property under appeal is located between two exits from the elevated railway station.

It appears that the present owners have owned this property for seven years and claim that they have attempted during this time to develop this property with a conforming use and have been unable to obtain the necessary financing. From information received it appears that the first mortgage is held by the Bond & Mortgage Guaranty Co., and that foreclosure proceedings are now in progress because of there being a considerable amount of unpaid interest and taxes.

These premises and the adjoining section were inspected by a committee of the Board on May 10th, 1934, and in their opinion it would be improper for the Board to grant this application inasmuch as a large portion of the plot is located within a residential area where no safeguards could be required which would protect the existing residential uses, particularly, as pointed out, since the main business uses in the gasoline service station would apparently be expected from the residential area side, namely along 20th avenue.

The committee cannot agree that this plot is not available for the construction of conforming use. The mere fact that these owners find themselves in a financial condition which precludes the possibility of their construction at this time a conforming use is not proof in itself that this property cannot be so developed.

MINUTES

An investigation was made by the committee of the Board of gas stations within the section and it was found that there are four or five stations within a distance of a few blocks in either direction.

The Committee can find no adequate proof of hardship to justify the Board in granting this variance and recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application under section 21 of the building zone resolution; and the Board deemed that applicant had failed to substantiate his basis of appeal under said section.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* that the application be and it hereby is *denied*.

49-34-BZ.

APPLICANT—H. I. Feldman, for David Nussdorf, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7a of the building zone resolution, to permit in a residence district the alteration and extension of an existing building used in part for business use.

PREMISES AFFECTED—550-554 Bedford avenue, northwest corner of Ross street (Block No. 2181, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. I. Feldman and George Foulk.
For Opposition: Hyman Ehrlich, Hyman Wank and Max D. Spitzer.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(49-34-BZ)

WHEREAS, H. I. Feldman, for David Nussdorf, owner, filed February 20, 1934, an application under the building zone resolution to permit in a residence district the alteration and extension of an existing building used in part for business use; premises: 550-554 Bedford avenue, northwest corner of Ross street (Block No. 2181, Lot No. 33), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 22, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bedford avenue is in a residence and business district, Ross street is in a residence district, Wilson street is in a residence district and Wythe avenue is in an unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 20, 1934, re: Applic. No. 13548-1933, reads:

"Proposed extension of an existing business building not permitted within a residential zone, same being contrary to article 2, section 3, of zone resolution. Above application is hereby denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 72 ft. 7 in. on Bedford avenue and 110 ft. on Ross street. Upon this plot is located a non-fireproof building approximately 63 ft. 7 in., by 103 ft. irregular in

area; the Bedford avenue section being three and four (the north section) stories in height; the Westerly Ross street section (the ball room) is one clere story in height; part of the northerly four (4) story section extends over the north part of the ball room; occupied for catering purposes and including a ball room. The 4th story to be used as residence of owner. It is proposed to add an additional story to the (3) story section (facing on Bedford avenue); proposes to remove the "bays" on the Ross street front of the 3 story section and to erect (at the west end of the 3 story section) a fire-tower stairway leading from the 3rd story to the street; it is also proposed to extend the ball room section of the premises out to the Ross street building line. Proposes to remove the two (2) exterior stairways leading from the 1st story of the building to Bedford avenue. Proposes to replace the existing wood stairways with fireproof stairways and to fireproof the roof of the ball room section; and

WHEREAS, the site in question was the subject of an inspection and report by a committee of the Board, which report was read at this hearing and which recommended the granting of the application under Section 7-A of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, permitting the alteration and enlargement of the existing buildings generally as indicated on plans filed with this application, *on condition* that there shall be no entrance from Bedford avenue except the main entrance leading directly into the main lobby as shown and except for door for exit purposes only leading from the main stairway; that there shall be no roof space provided that is used or intended to be used for outdoor purposes of any kind; that the rear portion of the existing building shall not be extended in height or area above the present height and area thereof except that a fireproof stair may be constructed to provide an additional means of exit, if such stairway is required by the commissioner of buildings, and except that the existing bay projections on the Ross street side may be removed and the wall reconstructed out to the street line without increase of existing height; that the proposed new stairway on the Ross street side may be extended to the proposed new fourth floor to provide an additional exit, if such exit is required by the commissioner of buildings; that the space of 7 feet along Bedford avenue shall remain vacant and unbuilt upon; that a space of 8 feet in width shall remain vacant and unbuilt upon along Ross street southerly to the wall of the new proposed stairway; that other than as modified herein the construction and use of the building shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building shall not be further increased in height or area and only so long as the premises shall be used for the present purposes as a catering establishment providing rooms for weddings, receptions, etc., but without any transient business; that all permits shall be obtained within three months and all work completed within nine months from the date of this action.

630-29-BZ.

APPLICANT—Conrad O. Stumpf, for Victory Park-Sites Realty Corporation, owner.

SUBJECT—Application for reopening—re amendment of resolution and approval of plans—re application (decision of superintendent of buildings)—erection and maintenance of a gasoline service station.

PREMISES AFFECTED—137-30 Queens boulevard, southeast corner of Van Wyck boulevard (Block No. 708, part of Lot No. 1), Briarwood, Borough of Queens.

MINUTES

APPEARANCES—

For Applicant: Conrad O. Stumpf.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE VOTE TO AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(630-29-BZ)

WHEREAS, this application affecting premises 137-30 Queens boulevard, southeast corner Van Wyck boulevard (Block No. 708, part of Lot No. 1), Borough of Queens (originally filed as 37-30 Queens boulevard and 137-27 Barret street, southwest corner), was granted by the Board May 31, 1933, amended July 11, 1933, on certain conditions, and applicant requests further amendment and an approval of plans.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 31, 1933, granting this application and as amended by resolution approving plans of July 11, 1933, so that as amended the resolution will read as follows:

"*Granted* to permit a gasoline service station on that portion of the property between Queens boulevard and Van Wyck boulevard in the following dimensions; starting at the intersection of Queens and Van Wyck boulevards and running southerly for a distance of 170 feet along Queens boulevard; thence to a line approximately parallel to the line of Barret street for a distance of approximately 113 feet to Van Wyck boulevard; thence northerly along Van Wyck boulevard for a distance of approximately 174 feet to the intersection of Queens boulevard; *on condition* that the accessory buildings shall be located toward the southerly end of the lot as indicated on revised plans marked 'Received May 18, 1934;' that the accessory buildings shall not exceed one story in height and shall be constructed of face brick and fireproof materials, except that the roof beams and roof boarding, windows, doors and cornice trim may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals, and the roofs surfaced with incombustible material; that there shall be no open excavation under any of these buildings except the pits for the greasing racks; that the front to the greasing section shall remain open except that overhead wooden doors may be installed, provided that there shall be a vaporproof fan installed to exhaust the air from underneath the greasing floor to the exterior of the building through an areaway or a continuous metal vent through the roof; that there shall be constructed along the street building lines a reinforced concrete curb not less than 12 inches in width and 6 inches in height with no openings therein except three to Queens boulevard and three to Van Wyck boulevard, as indicated on plans marked 'Received May 18, 1934;' that none of these openings shall exceed 25 feet in width and the curb cuts opposite the openings shall not exceed 30 feet in width; that the entire area where not covered by accessory buildings and by planting and pump areas, as indicated, shall be cement paved or covered with cracked bluestone; that around the areas where landscaping is to be maintained, as indicated on the plans filed, there shall be constructed a concrete curbing to protect same; that gasoline pumps installed on the premises shall be not nearer than 10 feet to any street building

line or any accessory building; that the gasoline pumps shall be constructed with masonry pedestals; that signs advertising nonconforming uses shall be limited to the illuminated globes of the gasoline pumps, prohibiting temporary signs of every nature; that there shall be no portable gasoline pumps used on or from the property; that there shall be no motor vehicle repairing and no parking of cars other than those being serviced; that there shall be no open flame permitted on the property; that all permits required shall be obtained within six months and all work completed within one year from the date of this amended resolution and that plans filed marked 'Received May 18, 1934,' are hereby approved."

APPEALS FROM ADMINISTRATIVE ORDERS.

94-34-A.

APPELLANT—Brown, Wheelock, Harris & Co., Inc., for Rubber Realty Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1959 Park avenue (Block No. 1780, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Appellant: Mansfield Estabrook.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal laid over to May 29, 1934, at 2 p. m., for inspection by a committee of the board.

98-34-A.

APPELLANT—Samuel Rosenblum, for Fifty Central Park West Corp., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—598 Broadway and 132 Crosby street (Block No. 511, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Appellant: Samuel Rosenblum.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal laid over to May 29, 1934, at 2 p. m., for further consideration.

99-34-A.

APPELLANT—John J. Gilmartin, for Jarvie Commonwealth Fund, Inc., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—326-330 Broadway, 94-98 Worth street and 552 Pearl street (Block No. 157, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Appellant: John J. Gilmartin.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(99-34-A)

WHEREAS, John J. Gilmartin, for Jarvie Commonwealth Fund, Inc., owner, filed April 11, 1934, an appeal from an order and a decision of the commissioner of buildings affecting premises 326-330 Broadway, 94-98 Worth street and 552 Pearl street (Block No. 157, Lot No. 4), Borough of Manhattan; and

MINUTES

WHEREAS, the order of the commissioner of buildings, dated February 21, 1934, re: Order No. 9540-F, reads:

"1. Replace 1½ in. hose at outlets of standpipe on all stories with 75 ft. of 2½ in., approved hose in lengths not greater than 50 feet (one of 50 ft. and one of 25 ft.).

3. Arrange the house water supply pipe so that same will connect with tank on the outside thereof above the 3,500 gallon mark only.

Section 580-1, Chapter 5, Code of Ordinances.";

and

WHEREAS, the decision of the commissioner of buildings, dated April 7, 1934, reads:

"In reference to your request to accept the existing 1½ inch hose at standpipe outlets in above premises and the existing standpipe supply of less than 3,500 gallons, you are advised that the above requirement of items 1 and 3 of Order 9540-F are necessary to maintain the standpipe system in accordance with Rule 91 of the Standpipe Rules. Your request must be denied.";

and

WHEREAS, the building is nonfireproof, 5 stories and basement (76 feet) in height, 75 feet 6 inches frontage on Broadway by 200 feet, 75 feet frontage on Worth street by 30 feet, with an adjoining section of 50 feet frontage on Pearl street by 75 feet in area; OCCUPIED: cellar, boiler room and storage, 50 persons; 1st story, stores; upper stories, vacant; located within a business district; and

WHEREAS, the appellant claims the building was erected many years ago; equipped with an interior fire alarm system, a sprinkler system and water flow alarm connected with a central office, and a standpipe system fed from a 4,000 gallon house supply tank the bottom of which is 20 feet above the highest hose outlet; exits consist of four fireproof enclosed interior stairways, and one exterior screened iron stairway; there is a 4 inch standpipe line in each interior stairway, a 2½ inch regulation outlet at each story with 100 feet of 1½ inch hose and a reducing coupling at each outlet; the present standpipe system was approved and accepted at the time of installation by the departments having jurisdiction; however, as to item 3, the appellant proposes to rearrange the house supply tank connection so as to maintain a reserve of 2,500 gallons solely for standpipe lines; as to item 1, to replace the 1½ inch hose with 2½ inch hose from time to time as the present 1½ inch hose becomes defective; furthermore, the appellant contends under the present economic conditions and the building being vacant for so long, it would be a great hardship upon the owner if compelled to comply with the order; and

WHEREAS, the building on Pearl street is only 25 feet and not 50 feet in width; and

WHEREAS, the building is now equipped with four lines of standpipes and not more than three lines would be required under the standpipe rules.

Resolved, that the order of the commissioner of buildings, No. 9540-F, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Item No. 1 on *condition* that the 1½ inch hose to the standpipe line on all stories shall be approved by the commissioner as being in good condition and that the lengths of such hose shall be as the commissioner may determine; that all outlets at each floor shall be 2½ inches in diameter with reducing coupling to 1½ inches; as the 1½ inch hose requires replacement, approved 2½ inch hose shall be supplied in place thereof; as to Item No. 3, *granted on condition* that the house supply line shall be removed from the bottom of the tank and connected to the tank on the outside thereof, so that there shall be maintained at all times 2,500 gallons solely for standpipe purposes; that the sprinkler system shall be maintained in good working order; that the automatic pump filling the standpipe and house tank shall be maintained in good working order; and that the building shall not be increased in height or area.

PETITION FOR VARIATION.

9-34-S.

PETITIONER—Young Men's Christian Association of the City of New York, owner.

SUBJECT—Petition for variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—536-538 West 20th street (Block No. 691, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Petitioner: Edmund A. Berkery.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition laid over to June 5, 1934, at 2 p. m., upon request of petitioner's representative.

APPLIANCES SUBMITTED FOR APPROVAL.

534-31-SA.

PETITIONER—Page Engineering Company, owner.

SUBJECT—Page Fuel Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn without prejudice.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

36-34-SA.

PETITIONER—Utility Appliance Co., owner.

SUBJECT—Utility Oil Burner, Model A, approval of.

APPEARANCES—

For Petitioner: L. H. McCurdy.

ACTION OF BOARD—Petition withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

165-33-SA.

PETITIONER—Chemical Processes Co., owner; The Burrshel Company, agent.

SUBJECT—Chemical Processes Co., Fuel Oil Burner (for Kerrick Kleaner), approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(165-33-SA)

WHEREAS, The Burrshel Company, agent for Chemical Processes Co., owner, filed, May 2, 1933, a petition for approval of the device known as Chemical Processes Co. Fuel Oil Burner (for Kerrick Kleaner); and

WHEREAS, after an inspection of this device certain recommendations were made as to compliance with the requirements of the law; and

WHEREAS, no attempt has been made to meet these requirements.

MINUTES

Resolved, that the petition be and it hereby is dismissed for lack of prosecution.

69-34-SA.

PETITIONER—Max Ashpes, owner.

SUBJECT—Max Ashpes Pot Type Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition dismissed as not being properly before the board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(69-34-SA)

WHEREAS, Max Ashpes, owner, filed, March 10, 1934, a petition with the Board of Standards and Appeals for approval of the Max Ashpes Pot Type Oil Burner; and

WHEREAS, it appears that the owner simply desires to use this burner which has assembled, in his own house.

Resolved, that the petition be and it hereby is dismissed as not being properly before the board.

77-34-SA.

PETITIONER—Packard Oil Burner Sales Corp., for The Packard Burner Mfg. Corp., owner.

SUBJECT—Packard Fuel Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and report of bureau of combustibles, fire department.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(77-34-SA)

WHEREAS, Packard Oil Burner Sales Corp., for the

Packard Burner Mfg. Co., owner, filed March 26, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Packard Oil Burner; and

WHEREAS, the device was submitted to the engineer of the Board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the Board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of a mechanical draft pressure atomizing type, consisting of a fan driven by an Emerson 1/6 Horsepower Motor, a Webster Fuel Unit consisting of pump strainer and pressure regulating valve, and a Jefferson Transformer and Monarch Nozzle.

Ignition—Electric.

Controls—Minneapolis-Honeywell Pressuretrol L-404, Protectorelay R-117-3.

We examined the spark and found electrodes to be properly set, and the spark was of sufficient length and intensity.

With oil supply shut off and a cold combustion chamber the burner was operated and it was found that the controls shut the burner down in 95 seconds. The burner was then operated for a period of time in a normal operating conditions, and it was found that the flame was clean and free of all soot and smoke. Examinations of the combustion chamber showed no undue carbon deposits.

We, therefore, recommend that the Packard Fuel Oil Burner, when installed in accordance with the Rules of the Board of Standards and Appeals be approved for domestic, industrial and commercial use.

The burner has been approved by the Underwriters Laboratories Guide No. 300-10-4. File M P 877.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Packard Oil Burner, for use in domestic and commercial and industrial installations with fuel oil not heavier than No. 3 when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

Adjourned, 4:30 p. m.

EDWARD V. BARTON, Chief Clerk.

CORRECTION*

The minutes of the meeting of the Board of Standards and Appeals held Tuesday May 15, 1934, as they appeared in Bulletin No. 21, Vol. XIX, are hereby corrected to read as follows:

295-33-BZ.

APPLICANT—William Shary for Henry M. Rinder, owner.

SUBJECT—Application for reopening—amendment to resolution and approval of plans in accordance therewith—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side Jerome avenue, 193.47 ft. north of Cromwell avenue (Block No. 2855, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened; resolution amended and plans approved in accordance therewith.

*Correction—Cal. No. 205-33-BZ changed to Cal. No. 295-33-BZ in digest.

THE VOTE TO REOPEN; AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(295-33-BZ)

WHEREAS, this application affecting premises west side Jerome avenue, 193.47 ft. north of Cromwell avenue (Block No. 2855, Lot No. 12), Borough of The Bronx, was granted by the board January 9, 1934, on certain conditions, and applicant requests an amendment of the resolution and approval of plans.

Resolved, that the plans marked "Received May 7, 1934" be and they hereby are *approved* as complying with resolution adopted by the board on January 9, 1934; and, further, *amending* the resolution adopted on that date so as to permit the grease pits to be installed on the southerly side of the lot, as indicated on these plans, and permitting the wall to be constructed on the interior lot line, as shown, at heights of 4 ft. and 6 ft.; and that other than as amended herein the resolution adopted by the board on January 9, 1934, shall be complied with in all respects.

PUBLIC HEARING

PROPOSED REVISION OF FUEL OIL RULES

[217-21-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, June 15, 1934, at 2 p. m., Room 1013, Municipal Building, on Proposed Revision of Fuel Oil Rules.

Oil Burner Rules

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

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STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be approved type, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 25 pounds per square inch without permanent distortion, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of twenty-five (25) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

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Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground.

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh, when necessary to prevent floating, tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Above-ground storage tanks shall be protected by an embankment or a dyke. Such protection shall have a capacity or not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

(c) Vents shall be not less than one and one-quarter inches (1¼") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

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less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or driveway.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. The terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for permit shall be made by the installer on a form furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burner, capacity, number and location of storage tanks, together with approval of such location by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances, Chapter X, Article 3, Section 43.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch wick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than eighteen (18) inches. Where such parts are insulated by two (2) inches of asbestos, or equivalent, the clear distance shall be not less than nine (9") inches, or, in lieu of such insulation the combustible material may be covered with fire-retarding material as defined in these rules.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by an asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

Rule 15. Instruction Cards.

Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Appliances Submitted for Approval.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

209-32-SA—Croker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

222-33-SA—Dowie Combination Anti-Syphon Valve.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

341-33-SA—Volcano Automatic Oil Burner, Models EW-1-S and EW-2.

346-33-SA—Goodspeed Oil Burner Nozzle Type II.

349-33-SA—Herco Oil Burner.

1-34-SA—Hager Silent Check Valve.

32-34-SA—Super Oil Burner for Pressing Machine.

33-34-SA—Tridex Cleaning Machine.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

102-34-SA—Bock Oil Burning Water Heater.

105-34-SA—Kelvinator Oil Burner, Model K.

108-34-SA—Wheco Oil Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	21
Cases filed up to May 23, 1934.....	139	Dismissed	12
Restored to Calendar	41	Denied	68
		Granted	0
		Granted on condition.....	84
		Appliances approved	27
		Appliances dismissed, disapproved or withdrawn....	27
		Rules approved	0
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen	134	Requests to reopen granted.....	115
Requests to amend	44	Requests to reopen denied.....	12
Requests for modification	1	Requests to amend granted.....	44
Requests to rescind	0	Requests to amend denied.....	0
Requests for extension of time.....	26	Requests for modification granted.....	1
Requests for extension of permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	8	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	26
Requests for interpretation	1	Requests for extension of time denied.....	0
Total	615	Requests for extension of permit granted.....	9
Disposed of	462	Requests for extension of permit denied.....	0
Cases pending May 23, 1934.....	153	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	8
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	7
		Total.....	462

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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JUNE 5, 1934

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No. 23

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, June 4, 1934*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, June 11, 1934*, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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Minutes of Regular Meeting, May 29, 1934, at 2 P. M.

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Approved Burners for Industrial Use.

Approved Burners for Domestic and Commercial Use.

Progress Report.

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DOCKET.

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COURT DECISION.

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

Hegarty v. Murdock—Mr. Justice Leary—Board sustained. April 3, 1934, Board denied application for gas station in residence district, under section 21. Cal. No. 198-33-BZ; Premises W.S. Haven Ave., 217' 4½" N. of W. 172d St., Manhattan. (N. Y. L. J. May 25, 1934.)

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 4, 1934, AT 2 P. M.

Building Zone Case.

47-34-BZ.

APPLICANT—Crescent L. Varrone, for Abrem Cohen, owner.

PREMISES—East side of 95th street, 100' north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the replacement of a frame lumber shed with a concrete structure.

JUNE 5, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 5, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 107-34-BZ—Application, April 19, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of John Bauer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

CALENDAR

CAL. NO. 993-26-BZ—Application of Jacob A. Freedman, on behalf of Leo Schumer, owner, reopened March 27, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

CAL. NO. 76-34-BZ—Application, March 24, 1934, under section 21 of the building zone resolution, of Arverne Bay Construction Company, applicant and owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.

CAL. NO. 95-34-BZ—Application, April 9, 1934, under sections 7c and 21 of the building zone resolution, of Edward P. Doyle, applicant, on behalf of Francesco Cassano, owner, to permit partly in a residence district and partly in an unrestricted district, the erection and maintenance of a baker shop and also the omission of the required rear yard; premises east side of Linden street (avenue), 50 ft. south of 34th avenue (Park place); (Block No. 4951, Lot No. 27), Flushing, Borough of Queens.

CAL. NO. 96-34-BZ—Application, April 9, 1934, under section 21 of the building zone resolution, of Kennedy & Ellner, applicants, on behalf of Milfan Building Corp., owner, to permit partly in a residence district and partly in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JUNE 5, 1934, 2 P. M.

Petition for Variation.

91-34-S—536-538 West 20th street (Block No. 691, Lot No. 1), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 5, 1934, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 111-33-BZ—Application of Conroy and Hardy, on behalf of Christ G. Callas, owner, reopened May 15, 1934, for consideration

as to an extension of time to complete work, time having expired, re: Application, under section 7-F of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Jamaica Bay boulevard and Morrell avenue (Block No. 4046, Lot No. 82), Howard Beach, Borough of Queens.

CAL. NO. 1149-24-BZ—Application of Croker Fire Prevention Corp., on behalf of Herman W. J. Bruning, owner, reopened May 15, 1934, for consideration as to extension to permit re: Application, under section 21 of the building zone resolution, permitting in a residence district the maintenance of an existing garage for six (6) motor vehicles for a temporary period of two (2) years; premises 63-63½ Schaeffer street (Block No. 3421, Lot Nos. 57 and 58), Brooklyn.

CAL. NO. 7-34-BZ—Application, January 18, 1934, under section 21 of the building zone resolution, of Henry C. Brucker applicant, on behalf of Salzi Homes, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

CAL. NO. 56-34-BZ—Application, March 2, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joseph Cafiero, owner, to permit in a business district the erection and maintenance of a petroleum storage plant; premises 2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Brooklyn.

CAL. NO. 375-33-BZ.—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

CAL. NO. 35-34-BZ.—Application, February 9, 1934, under section 21 of the building zone resolution, of Samuel Roth, applicant, on behalf of Fannie Levy, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 11, 1934, AT 2 P. M.

Building Zone Cases.

26-34-BZ.

APPLICANT—Larry Meltzer, for Victor Meyer, owner.
PREMISES—601-629 Avenue "R", northeast corner of Ocean parkway (Block No. 6663, Lot No. 47), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the change of occupancy of an existing building to a motor vehicle repair shop.

130-34-BZ.

APPLICANT—Croker Fire Prevention Corp., for John Bertorello, owner.

PREMISES—52 West 54th street (Block No. 1269, Lot No. 70), Borough of Manhattan.

APPLICATION, under sections 7b and 21 of the building zone resolution,

TO PERMIT partly in a retail district and partly in a residence district, the change of occupancy of part of an existing building to business use.

644-20-BZ.

APPLICANT—Samuel Rosenblum, for H. P. C. Corp., owner.

PREMISES—1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station (reopened April 24, 1934).

956-27-BZ.

APPLICANT—Scacchetti & Siegel, for The Nod-Away Co., Inc., owner.

PREMISES—1510-1518 Jerome Avenue, east side, 105.36 ft. north of East 172nd street (Block No. 2846, part of Lot No. 6, The Bronx).

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously granted by the Board and the time limit expired; reopened May 29, 1934).

JUNE 12, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 12, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 108-26-BZ—Application of Eugene De Rosa, on behalf of Emerdyck Realty Corp., owner, reopened May 22, 1934, for an amendment of resolution as to area of proposed theatre building—re Application, under sections 7b and 21 of the building zone resolution, to permit the

extension from a business district into a residence district of a proposed theatre building; premises 4913-4923 Broadway (Block No. 2241, Lot Nos. 25, 26 and part of Lot No. 28), Borough of Manhattan.

CAL. NO. 717-28-BZ—Application of Frank J. Schefcik, on behalf of Theodore Ornstein, present owner, reopened May 22, 1934, to amend the resolution, to permit the erection of a pent house for additional car storage—re Application, under sections 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

CAL. NO. 39-34-BZ—Application, February 13, 1934, under section 21 of the building zone resolution, of Hlavac & Dlouhy, applicants, on behalf of Little Neck Investors, Inc., owner, to permit in a residence district the change of occupancy of an existing building to business use (restaurant); premises Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

CAL. NO. 81-34-BZ—Application, March 28, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Girolomo Staropoli, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 196-08 Hillside avenue, south side, 50.42 ft. east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 12, 1934, 2 P. M.

Appeals from Administrative Orders.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

120-34-A—234 West 56th street (Block No. 1027, Lot No. 56), Manhattan.

131-34-A—643 Brook avenue (Block No. 2361, Lot No. 34), The Bronx.

Appliance Submitted for Approval.

117-34-SA—Carter Oil Burner, Models 4X and 5X.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 12, 1934, at 2 o'clock, in Room 1013, Municipal Building,*

CALENDAR

on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:

CAL. NO. 1213-24-BZ—Application of Charles Schaefer, Jr., on behalf of T. & R. Construction Co., Inc., owner, reopened October 3, 1933, under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station; premises southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

CAL. NO. 78-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Cross Bay Theatre, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

JUNE 15, 1934, at 2 P. M.

SPECIAL MEETING.

Rules

217-21-SR—Fuel Oil Rules, Proposed Revision of.

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 18, 1934, AT 2 P. M.

Building Zone Cases

43-34-BZ.

APPLICANT—Ferdinand Savignano, for Francesco Frasca, owner.

PREMISES—6522-6524-13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the maintenance of a gasoline service station illegally installed.

119-34-BZ

APPLICANT—Webwill Realty Corporation, owner.

PREMISES—23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

138-34-BZ.

APPLICANT—William E. Jackson, for Crusader Realty Corporation, owner.

PREMISES—Northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

JUNE 19, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 19, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 118-34-BZ—Application, May 1, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Robert Ward, owner, to permit in a business district the erection and maintenance of a gasoline service station: premises 1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Brooklyn.

CAL. NO. 418-31-BZ—Application of McCabe and Hickey, on behalf of Gerwan Realty Co., Inc., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JUNE 19, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 19, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 100-34-BZ—Application, April 12, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Kariene Burke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 101-34-BZ—Application, April 13, 1934, under section 21 of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of P. M. H. Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.

CALENDAR

CAL. NO. 459-32-BZ—Application of Mildred I. Hefter, owner, reopened April 10, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and also a motor vehicle

repair shop; premises Southeast corner of Merrick boulevard (road) and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MAY 29, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, May 22, 1934 and the minutes of the regular meeting of the board held on Tuesday afternoon, May 22, 1934, were approved as printed in Bulletin No. 22, Vol. XIX.

BUILDING ZONE CASES

1213-24-BZ.

APPLICANT—Chas. Schaefer, Jr., for T. & R. Construction Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station (reopened October 3, 1933).

PREMISES AFFECTED—Southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

APPEARANCES—

For Applicant: Charles Schaefer, Jr., Louis Berkwit.

For Opposition: H. B. Sarno, F. R. Scoppa, A. Kuntz, Frank X. Lutz.

ACTION OF BOARD—Laid over to June 12, 1934, at 2 p. m., for report of committee of inspection. No further argument.

78-34-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Cross Bay Theatre, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr., John F. Pugovel

For Opposition: None.

ACTION OF BOARD—Laid over to June 12, 1934, at 2 p. m., for report of committee of inspection. No further argument.

100-34-BZ

APPLICANT—Samuels & Samuels for Kariene Burke, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone

resolution, to permit in a business district the erection and maintenance of a gasoline service station. PREMISES AFFECTED—South East corner of Jamaica avenue and 138th place (Block No. 1024, Part of Lot No. 1), Jamaica, Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: R. A. Geis, Charles Boos, George Boos, Charles Kaemmer, Mary A. Osborne, Mrs. T. Helmke, Mr. Loris, Frank P. Coltilitti, Gertrude Doellner.

ACTION OF BOARD—Laid over to June 12, 1934, at 2 p. m., for report of committee of inspection. No further argument.

101-34-BZ

APPLICANT—Andrew A. Marjey, for P. M. H. Holding Corp.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North East corner of Northern boulevard and Utopia parkway (Block 5361, Lot 1, Auburndale, Queens.

APPEARANCES—

For Applicant: Andrew A. Marjey-Hyman Meyrowitz, John F. Finn, Jr.

For Opposition: Edward J. Hogarty, W. D. Radford, William H. Conley, Augustus M. Jacobs, Thomas Marra, Mrs. Adelaide Hughes, Fred Kuhlman.

ACTION OF BOARD—Laid over to June 19, 1934, at 2 p. m., for report of committee of inspection. No further argument.

459-32-BZ.

APPLICANT—Mildred I. Hefter, owner.

SUBJECT—Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station, and also a motor vehicle repair shop.

PREMISES AFFECTED—Southeast corner of Merrick boulevard (road) and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Eugene Newman and Mrs. Mildred I. Hefter.

For Opposition: Jerome C. McDonough.

ACTION OF BOARD—Laid over to June 19, 1934, at 2 p. m., for report of committee of inspection. No further argument.

Adjourned, 1:20 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, MAY 29, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES

956-27-BZ.

APPLICANT—Scacchetti & Siegel, for the Nod-Away Co., Inc., owner.

SUBJECT—Application for reopening and reinstatement—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1510-1518 Jerome avenue, east side, 105.36 ft. north of East 172nd street (Block No. 2846, part of Lot No. 6), The Bronx.

APPEARANCES—

For Applicant: Max Siegel.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

1148-27-BZ.

APPLICANT—Saul Goldsmith, for Arrowlene, Inc., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—1146-1152 Atlantic avenue, southeast corner of Franklin avenue (Block No. 1199, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe 1

1058-24-BZ.

APPLICANT—Max Klein, for Max Tharler, owner.

SUBJECT—Application for reopening—consideration under new facts—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district, the erection and maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—1124 Intervale avenue, east side, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Klein.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative: 0

Absent: Commissioner Peppe 1

14-34-BZ.

APPLICANT—John F. Meehan, for Isaac D. Reynolds, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—101-15 Astoria avenue, north west corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41 and part of Lot Nos. 40, 44 and 46), East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Daniel Marshall, Isaac D. Reynolds.

For Opposition: Leopold Horak.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(14-34-BZ)

WHEREAS, John F. Meehan for Isaac D. Reynolds, owner, filed January 23, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 101-15 Astoria avenue, northwest corner of McIntosh street (Block No. 1659, Lot Nos. 39 and 41 and part of Lot Nos. 40, 44 and 46), East Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standard and Appeals, at its regular meeting, May 29, 1934, after due notice by publication in the Bulletin of the Board of Standard and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Astoria boulevard is in a business district; 31st avenue is in a business district; 29th avenue is in a residence and business district and McIntosh street is in a residence and business district; and

WHEREAS, the decision of the Commissioner Buildings, rendered January 8, 1934, re: Plan No. 2510 reads:

"1—The extension of a gasoline service station located legally within a business district into a business district is contrary to section 4, subdivision a-46 of the zone resolution.

NOTE—The additional land to be used is now located within a residence district but will be if and when Astoria boulevard is widened within a business district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on McIntosh street, 64 ft. on 29th avenue and approximately 68 ft. on Astoria boulevard; on this plot there are located two 2½ story frame dwellings, a one-story brick garage and (between the frame dwellings) a gasoline service station, operating under duly authorized permits since prior to 1925. Astoria avenue at this point was 50 ft. wide; due to Tri-Borough bridge improvements, Astoria boulevard has been widened to 130 ft.; 10 ft. being taken along the South building line and 70 ft. being taken from the Northerly side (the side in question). City has vested title to land required in

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widening November, 1933; these proceedings have taken most of the premises in question—leaving an irregular shaped plot of ground having a frontage of 55 ft. on McIntosh avenue, 69 ft. on Astoria boulevard and a distance of approximately 57 ft. along the northwest lot line; it is proposed to use this irregular shaped plot of ground as a gasoline service station; consisting of a one story structure, 52 ft. by approximately 20 ft. in area, to be used as office, showroom, auto laundry and grease pit and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the applicant amended the application to include a portion of Lot No. 40 and a portion of Lot Nos. 44 and 46 in the proposed site.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, covering a plot of ground as indicated on revised plan marked "Received May 3, 1934", with frontage on widened Astoria boulevard of 130 ft. and a frontage on McIntosh street from the intersection of McIntosh street and the widened Astoria boulevard of 75 ft. and 11 in. and to permit the erection thereon of a gasoline service station, *on condition* that there shall be erected toward the westerly lot line an accessory building to be used for car greasing and washing only, and toward the southwesterly portion of the frontage on Astoria boulevard a one-story building to be used as an office and for the sale of accessories; that these buildings shall not exceed one story in height and shall be constructed of face brick on all sides; that the roof beams and roof boarding, doors and windows may be of wood *on condition* that the ceilings shall be fire retarded throughout in accordance with the Rules of the Board of Standards and Appeals and that the roof surfacing shall be of incombustible material; that there shall be no excavations under any of these buildings except for pits for greasing racks; that the front portion of the greasing rack section shall remain open; that there shall be constructed along McIntosh street from the northeasterly corner of the greasing pit section a brick wall not less than 7 ft. in height, constructed of face brick, both sides, to match the face brick used in accessory buildings; that such walls shall be returned at right angles on the property line at the junction of McIntosh street and the widened Astoria boulevard, except that this wall may be reduced to 4 ft. in height on this return; that the balance of the premises where not covered by accessory buildings shall be cement paved; that gasoline pumps erected shall be not nearer than 10 ft. to the new street line of Astoria boulevard; that the entrances to the gas-selling area shall not exceed two (2), each not over 25 ft. in width, with curb cuts opposite each not over 30 ft. in width; that other than where these entrances occur there shall be concrete curbs erected on the street building line not less than 12 in. in width and 6 in. in height; that the area at the northwest excluded from this gasoline station area and in size 20 ft. by approximately 40 ft. shall remain in the ownership of the owner of this gasoline station area and shall remain unused and vacant or may be developed with a single-family house; that there shall be no openings in the westerly and southerly interior lot line walls of accessory buildings; that no automobile repairing shall be carried on in these premises; that no portable gasoline tanks shall be used at or from the property; that there shall be no signs advertising non-conforming uses except the illuminated globes of the gasoline pumps, excluding temporary signs of every nature; that no open flame shall be permitted on the property; that lights for illuminating the selling area shall be on pipe standards not over 9 ft. in height with metal reflectors arranged to reflect downwardly; that before construction plans are filed with the commissioner of buildings such plans shall be submitted to this board for approval and approved by the chairman in behalf of the board; and that all permits shall be obtained within six months and all work completed within one year from the date of this action.

65-34-BZ.

APPLICANT—Burke and Olsen, for Domenick Schirripa, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a refrigerating plant.

PREMISES AFFECTED—5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Daniel Epstein, John Burke, Domenick Schirripa.

For Opposition: Charles P. DeMartino, Michael Timpano and others.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(65-34-BZ)

WHEREAS, Burke & Olsen, for Domenick Schirripa, owner, filed March 8, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a refrigerating plant, premises: 5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 29, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 13th avenue is in a business and unrestricted district; 59th street is in a business and unrestricted district and 60th street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 2, 1934, re Application No. 1809-1934, reads:

"Proposed refrigerating plant (ice plant) to be erected in a business use district is contrary to article 2, section 4a of zone resolution."

and

WHEREAS, the building is to be of non-fireproof construction, one and two stories in height, with a frontage of 100 ft. on 13th avenue and 100 ft. on 59th street, to be occupied as an ice manufacturing plant; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and

WHEREAS, this report recommended the granting of this application and the board deemed that applicant had substantiated the basis of his appeal under section 21 of the building zone resolution,—hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that all existing buildings shall be completely removed from the site under appeal and permitting under section 21 of the building zone resolution the erection of a one-story fireproof building as an ice refrigerating plant with a capacity of not over 100 tons daily; that this building shall be constructed of face brick with stone trim, substantially as indicated on plans filed with this appeal; that there shall be no openings on the first floor of the building of any kind to 59th street, except one door as indicated, for exit purposes only; that the shipping platform shall be located, as indicated, toward the southerly side,

MINUTES

with the platform recessed sufficiently from the building line to permit trucks to be entirely inside the building line when loading and unloading; that all machine equipment shall be electrically driven; that the building shall comply in all respect as to construction and use with the requirements of article 5 and article 10 of the code of ordinances and all other rules and regulations applicable to a building of this construction and use; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

210-33-BZ.

APPLICANT—Frank Marcellino, for Jacob Frommer, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence district the change of occupancy of an existing building to a business use (store).

PREMISES AFFECTED—238-240 Kosciusko street, south side, 66 ft. east of Tompkins avenue (Block No. 1786, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Marcellino.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(210-33-BZ)

WHEREAS, this application affecting premises 238-240 Kosciusko street, south side, 66 ft. east of Tompkins avenue (Block No. 1786, Lot No. 5), Borough of Brooklyn, was granted by the board December 5, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on December 5, 1933, be and it hereby is *amended*, only so far as it has reference to the completion of work, so that as amended, the last clause of the resolution will read:

"that in view of statement that permit has been obtained, all work shall be completed within 6 months from the date of this amended resolution, *on condition* that, other than as amended herein, the resolution adopted on December 5, 1933, shall be complied with in all respects."

509-20-BZ.

APPLICANT—Henry J. Nurick, for Bey Beyer Realty Corp., present owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business district the alteration and installation of a gasoline service station in an existing garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1201-1219 Coney Island avenue, east side, 240 ft. north of Avenue I (Block No. 6695, Lot Nos. 61 and 66), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(509-20-BZ)

WHEREAS, this application affecting premises 1201-1219 Coney Island avenue, east side, 240 ft. north of Avenue I (Block No. 6695, Lot Nos. 61 and 66), Borough of Brooklyn, was granted by the board December 19, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on December 19, 1933, be and it hereby is *amended*, only so far as it relates to the completion of work, so that as amended, the last clause of this resolution will read:

"that in view of statement by applicant that the construction permits have been obtained, all work shall be completed within 9 months from the date of this amended resolution, *on condition* that, other than as amended herein, the resolution adopted on December 19, 1933, shall be complied with in all respects."

APPEALS FROM ADMINISTRATIVE ORDERS.

106-34-A.

APPELLANT—Croker Fire Prevention Corp., for 27 West 20th St. Corp., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—27-33 West 20th street (Block No. 822, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Appellant: Sidney L. Strauss.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(106-34-A)

WHEREAS, Croker Fire Prevention Corp., for 27 West 20th Street Corp., owner, filed April 9, 1934, an appeal from an order of the commissioner of buildings affecting premises 27-33 West 20th street (Block No. 822, Lot No. 15), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated February 19, 1934, re Order No. 9527-F, reads:

"1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Section 580-1, chapter 5, code of ordinances and rules of the Board of Standards and Appeals."

and

MINUTES

WHEREAS, the building is fireproof, 12 stories in height, 100 ft. by 92 ft. in area at first story and 100 ft. by 82 ft. in area above; OCCUPIED as a tenant factory, not more than 80 persons per story; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected in 1907, equipped with a sprinkler system and a standpipe system fed from a 9,500 gallon house supply tank with 3,500 gallons reserved for standpipe lines, the bottom of which is 9 ft. 8 in. above the highest hose outlet; the appellant contends that the existing condition is adequate and has afforded ample protection during the past 27 years since the erection of the building.

Resolved, that the order of the commissioner of buildings, No. 9527-F, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the tank to remain at its present height, *on condition* that the bottom of tank shall be not less than 9 ft. 8 in. above the hose outlet on the highest story; that there shall be at all times a reserve of 3,500 gallons of water for standpipe system purposes only; that the hose nozzles on top story shall be reduced to 1/2-in. diameter; and that other than as modified herein the standpipe shall comply with Rule 91 of the Standpipe-Fire Line Rules in all respects.

122-34-A.

APPELLANT—Pulch & Huebner Amusement Co., Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—7418 3rd avenue, northwest corner of 75th street (Block No. 5928, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Appellant: John Manheimer.

For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(122-34-A)

WHEREAS, Pulch & Huebner Amusement Co., Inc., lessee, filed May 8, 1934, an appeal from an order of the commissioner of buildings, affecting premises 7418 3rd avenue, northwest corner of 75th street (Block No. 5928, Lot No. 45), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated April 23, 1934, re Order No. 1954-LF, reads:

"1. Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals. Section 524, chapter 5, code of ordinances."

and

WHEREAS, the building is non-fireproof, two stories (30 ft.) in height, 50 ft. by 100 ft. in area; OCCUPIED as a motion picture theatre; located within a business district; and

WHEREAS, the appellant claims the building has been continually operated under licenses as a motion picture theatre since 1912, there is no stage or scenery, 624 seating capacity, with frontage on two streets, and provided with exits of a total width in excess of that required by law; the area of the building is less than 5,000 square feet, contains only 24 seats in excess of a motion picture theatre legally accepted without a standpipe system; certificate of occupancy No. 1267 was issued in 1926 by the superintendent of buildings permitting 680 seats; furthermore, the appellant proposes to maintain fire extinguishing appliances

as required for motion picture theatres of 600 seats capacity, and in accordance with approval of the fire commissioner.

Resolved, that the order of the commissioner of buildings, No. 1954-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the building shall comply in all respects with the requirements of article 524, chapter 5, code of ordinances, and that the number of seatings shall at no time exceed 680 seats, permitted by Certificate of Occupancy No. 1267, issued April 23, 1926.

94-34-A.

APPELLANT—Brown, Wheelock, Harris & Co., Inc., for Rubber Realty Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1959 Park avenue (Block No. 1780, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Appellant: Mansfield Estabrook.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(94-34-A)

WHEREAS, Brown, Wheelock, Harris & Co., Inc., for Rubber Realty Co., Inc., filed April 6, 1934, an appeal from an order and a decision of the fire commissioner, affecting premises 1959 Park avenue (Block No. 1780, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated October 16, 1933, re Order No. 1249-LC, reads:

"With reference to your application, dated July 5, 1933, for a permit to store loose rags on first story and cellar at the above location, I regret to inform you that I am without power to grant such a permit for the reason: building in part is occupied as a factory or workshop, and as part used for rag storage is not isolated in the manner prescribed by section 24, chapter 12, code of ordinances, it will be necessary for you to:

"1—Discontinue the storage of combustible fibre in excess of one ton on these premises."

and

WHEREAS, the decision of the fire commissioner, dated March 19, 1934, reads:

"Replying to your favor of March 6, 1934, be advised that the fire department will not reissue an order when once it has been forwarded, and has been found not complied with.

"We assume that you desire to have this order reissued, so that you can take advantage of the right to appeal from the fire commissioner's decision, and you have exceeded the twenty-day time limit in which to make your appeal.

"However, we have been informed that the Board of Standards and Appeals, will accept a letter from this department, and we are forwarding this communication to certify that order No. 1249-LC was issued against the Nicoletti Paper Stock Company, Inc., 1959 Park avenue, Manhattan, on October 16, 1933, and reads as follows:

"1—Discontinue the storage of combustible fibre in excess of one ton on these premises."

MINUTES

WHEREAS, the premises consist of a large plot, 199 ft. 10 in. by 345 ft., upon which is erected a group of non-fireproof buildings; the main building is 4 stories (50 ft.) in height, 199 ft. 10 in. by 190 ft., irregular in area; OCCUPIED: cellar, manufacture of rubber, 5 persons; 1st story, manufacture of wire, storage of rags, 5 persons; 2nd story, manufacture of wire, 4 persons; 3rd story, vacant; 4th story, manufacture of sand paper, 7 persons; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected prior to 1893, equipped with an adequate sprinkler system; there are two fire hydrants on Park avenue at the street corners of the building, and also a fire alarm box; the premises are under constant supervision by engineer during the day and watchman at night; the appellant proposes to store a total of 5 tons of loose rags; 2½ tons in cellar and 2½ tons on first story in spaces marked G and P on plans filed with this appeal, and requests a temporary permit of two years for such storage; furthermore, the appellant contends the major portion of the premises is vacant, the business is being operated under a heavy loss, and to be deprived of the small income derived from space used for storage of rags would prove an undue hardship under present economic conditions.

Resolved, that the order of the fire commissioner, No. 1249-LC, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, for a temporary term of two years from the date of this action, permitting the storage of not more than five (5) tons of loose rags *on condition* that the loose rags are stored only in sections "g" and "p" on first floor and in basement, located as indicated on plans filed with this appeal; that the sprinkler system in building shall be maintained in good working condition; that the entire premises shall be under constant supervision of the engineer during the day and a watchman at night; that such accessory fire extinguishing equipment shall be installed in these areas "g" and "p" as the commissioner may direct; that the building shall not be increased in height or area and with occupancies throughout the building no more hazardous than at present; that rags, paper or other material in baled form as are stored in the premises in addition to loose rags shall not exceed the posted carrying capacity of floors nor exceed in height two-thirds of the story height in the stories of the building where such material is stored.

98-34-A.

APPELLANT—Samuel Rosenblum, for Fifty Central Park West Corp., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—598 Broadway and 132 Crosby street (Block No. 511, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Appellant: Samuel Rosenblum.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Absent: Commissioner Peppe 1

THE RESOLUTION—

(98-34-A)

WHEREAS, Samuel Rosenblum, for Fifty Central Park West Corp., owner, filed April 9, 1934, an appeal from an order and a decision of the commissioner of buildings, affecting premises 598 Broadway and 132 Crosby street (Block No. 511, Lot No. 15), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated (no date on order), re Order No. 6036-F, reads:

"2. Have at least one passenger elevator kept in readiness for immediate use by the fire department during all hours of the day and night including holidays and Sundays, and a man competent to operate the elevator present at all times."

and

WHEREAS, the decision of the commissioner of buildings, dated March 20, 1934, reads:

"In reference to your request for reconsideration of item 2 of Order 6036-F pending against the above premises. You are advised that after every consideration your request must be denied as this elevator requirement applies to all buildings which exceed one hundred and fifty feet in height."

and

WHEREAS, the building is fireproof, 12 stories (170 ft.) in height, 28 ft. 6 in. by 199 ft. 5 in. in area; OCCUPIED as a tenant factory, not more than 35 persons per story; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected in 1897, equipped with a standpipe system, a sprinkler system with central office water-flow alarm; exits consist of two fireproof enclosed interior stairways extending from each street front to the roof; the building is very narrow with an elevator near Broadway front and two freight elevators near the Crosby street front; the appellant proposes to provide near the elevator at Broadway entrance, 7 ft. above the floor, an enclosed box with glass door containing key to elevator door, marked "Use for Firemen Only"; furthermore, the appellant contends that the building is being operated at a loss, also with the extremely adequate fire protection equipment and the present economic conditions, the owner would suffer an unnecessary hardship if compelled to increase the loss in operating expenses by strict compliance with the letter of the rule under which the order was issued.

Resolved, that the order of the commissioner of buildings, No. 6036-F, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

110-34-A.

APPELLANT—Ansonia Fire Prevention Eng. Co., Inc., for C. & E. Chapel, Freres & Cie, Inc., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—168 Walworth street, northwest corner of Willoughby avenue (Block No. 1751, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe 1

THE RESOLUTION—

(110-34-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for C. & E. Chapel, Freres & Cie, Inc., owner, filed April 23, 1934, an appeal from an order and a decision of the commissioner of buildings, affecting premises 168 Walworth street, northwest corner Willoughby avenue (Block No. 1751, Lot No. 41), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated October 3, 1933, re Order No. 0464-LF, reads:

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"1. Provide approved fireproof windows or shutters at all openings in the exterior wall above first story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at west and north side of building or other approved protection as per section 375, article 18, charter 5, of the code of ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated April 3, 1934, reads:

"In reply to your letter of March 28, 1934, advising that you have been retained by the owners to appeal from requirements of order No. 0464-LF and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, twenty days, had elapsed, and request dismissal and re-issuance of the above order.

"You are advised that the order cannot be dismissed or reissued. Therefore, your request is denied."

and

WHEREAS, the building is non-fireproof, 4 stories (46 ft. 6 in.) in height, 153 ft. by 32 ft. 6 in. in area; OCCUPIED: 1st story, printing, storage of paper, 5 persons; 2nd story, manufacture of shades, 3 persons; 3rd story, manufacture of clothing, 14 persons; 4th story, vacant; located within an unrestricted district; and

WHEREAS, the appellant claims the building and exposure buildings were erected 40 years ago, have been satisfactory to all departments having jurisdiction during that time, they are under the same ownership, most of them are interconnected, all are protected with adequate sprinkler systems except the one story frame shed at north; 54 windows on the west side and 12 windows on the north side of the buildings are affected by the order; the exposure at west consist of one story adjacent extensions and a two-story brick building, 23 ft. to 27 ft. distant; the exposure at north is a one-story adjacent frame roof over driveway and two one-story frame sheds, 20 ft. distant; the appellant contends that every window under appeal is protected with a sprinkler head within 4 ft. of the opening, furthermore that the building is only slightly over 40 ft. in height where the order would not apply.

Resolved, that the order of the commissioner of buildings, No. 0464-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the sprinkler system shall be maintained to the entire satisfaction of the administrative authority; that there shall be a line of sprinkler heads not more than 4 ft. away from the windows covered by this order; *granted* so long as the existing buildings shall not be increased in height or area and that no use more hazardous than the present use shall be permitted.

112-34-A.

APPELLANT—Hotel Salisbury, Inc., lessee, for Calvary Baptist Church, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—123 West 57th street (Block No. 1010, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Appellant: E. H. Ronay.

For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4

Negative 0

Absent: Commissioner Peppe 1

THE RESOLUTION—

(112-34-A)

WHEREAS, Hotel Salisbury, Inc., lessee, for Calvary Baptist Church, owner, filed March 29, 1934, an appeal from an order of the commissioner of buildings affecting premises 123 West 57th street (Block No. 1010, Lot No. 15), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated March 8, 1934, re Order No. 1454-1934, reads:

"In that of maintaining a marquee constructed of combustible material (canvas) suspended from the front wall of building between the 1st and 2nd stories at the entrance to "hotel", extending to curb.

"You are hereby directed to remove the aforesaid unlawful marquee at once."

and

WHEREAS, the building is fireproof, 16 stories (200 ft.) in height, 160 ft. by 90 ft. in area; OCCUPIED for church, stores, offices and hotel purposes (Class "A" multiple dwelling); 26 persons per story; located within a business district; and

WHEREAS, the appellant claims the building was erected in 1930, certificate of occupancy issued October 28, 1930; a canopy has been constructed above and over the front entrance door, extending 20 ft. 8 in. across the sidewalk to the street curbing, consisting of steel rod construction suspended from the front wall of the building and covered with combustible canvas material, there are no up-rights from sidewalk and no obstruction to passing traffic; the light constructed canopy is for the protection of guests in case of rain, storm or snow, to remove it would jeopardize the business; the construction of a permanent bronze or steel marquee would be costly; however, the appellant proposes to cover the existing marquee with fireproof material.

Resolved, that the order of the commissioner of buildings, No. 1454-1934, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the existing marquee shall be covered with fireproof material, approved by commissioner of buildings, so that the marquee shall comply with article 9, section 170, paragraph 4-I of chapter 5 of the code of ordinances.

88-33-A.

APPELLANT—Eugene H. Carroll, lessee.

SUBJECT—Application for reopening—extension of time—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—North side of Second avenue, 2311.7 ft. north from the corner of Second avenue and 36th street (Block No. 662, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Eugene H. Carroll.

For Administration: None.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4

Negative 0

Absent: Commissioner Peppe 1

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4

Negative 0

Absent: Commissioner Peppe 1

MINUTES

THE RESOLUTION—

(88-33-A)

WHEREAS, this appeal affecting premises north side of Second avenue, 2311.7 ft. north from the corner of Second avenue and 36th street (Block No. 662, part of Lot No. 1), Borough of Brooklyn, was granted by the board June 6, 1933, on certain conditions, time extended September 19, 1933, and applicant requests further extension of the time limit imposed.

Resolved, that the resolution adopted by the board on June 6, 1933, be and it hereby is *amended*, only so far as it has to do with the last clause thereof, having reference to the obtaining of permits and completion of work, so that as amended, this portion of the resolution will read:

"that all construction permits shall be obtained within 6 months and all work completed within 9 months from the date of this amended resolution, *on condition* that, other than as amended herein, the resolution adopted by the board on June 6, 1933, shall be complied with in all respects."

APPLIANCES SUBMITTED FOR APPROVAL.

124-34-SA.

PETITIONER—Erik B. Anderson, for Berggren & Anderson Machine Co., Inc., owner.

SUBJECT—Alida Oil Burner, approval of.

APPEARANCES—

For Petitioner: Erik B. Anderson.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and the bureau of combustibles, fire department for test and report.

125-34-SA.

PETITIONER—David Kaufman, for American Burner Manufacturing Co., owner.

SUBJECT—American Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and the bureau of combustibles, fire department for test and report.

128-34-SA.

PETITIONER—Bastian-Morley Company, owner.

SUBJECT—Bastian-Morley Oil Burner, Model M (Kero Water Heater), approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and the bureau of combustibles, fire department for test and report.

132-34-SA.

PETITIONER—M. J. Sage, for Acme Oil Burner Company, Inc., owner.

SUBJECT—Acme Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and the bureau of combustibles, fire department for test and report.

600-31-SA.

PETITIONER—Brooklyn Domestic Engineering Corp., for Eastern Oil Equipment, Inc., owner.

SUBJECT—Easternoil Automatic Oil Burner, Models A, B and C—reopening—re change of name.

APPEARANCES—

For Petitioner: H. M. Ficken.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

4

Negative

0

Absent: Commissioner Peppe

1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

4

Negative

0

Absent: Commissioner Peppe

1

THE RESOLUTION—

(600-31-SA)

WHEREAS, Brooklyn Domestic Engineering Corp., for Eastern Oil Equipment, Inc., owner, filed December 17, 1931, a petition with the Board of Standards and Appeals for approval of device known as the Easternoil Automatic Oil Burner, Models A, B and C; and

WHEREAS, this device was submitted to the fire department for test and report, and the report of the acting chief of the bureau of fire prevention, dated March 5, 1932, recommends the approval of the device; and

WHEREAS, the report of the acting chief of the bureau of fire prevention was substantially as follows:

"The burner is of the mechanical draft gun, pressure atomizing type with pump and blower unit, 1/16 H.P. electric motor, Tuthill rotary pump and blower in one shaft, strainer, needle valve, pressure and oil regulating valves. Nozzle electrodes and approved electrical controls connected in series.

Oil Supply—Taken from storage tank through strainer, thence to approved rotary pump to and through oil regulating valve through needle valve to nozzle where oil is atomized and discharged.

Standard pipes and fittings used.

Ignition—Electric.

Safety controls—Time-start stack switch located in smoke pipe from boiler and connected in series with other controls and oil pump so arranged and set that it will automatically cut out pump and flow of oil to burner in the event of delay or failure of ignition.

Time-o-Stat aquastat located in boiler so arranged and set that when temperature of 16 deg. is obtained it will operate and cut out pump and flow of oil to burner.

All tests satisfactory.

It is recommended that the approval be granted for the Easternoil Automatic Oil Burners, Models A, B and C, for domestic and commercial use when installed in accordance with the fuel oil rules; and

WHEREAS, this device was approved by the Underwriters Laboratories for use with oil not heavier than No. 3, Guide No. 300-10-4, File No. M.P. 591; and

WHEREAS, this device, Models A, B and C, was approved by the board March 15, 1932, for use in domestic and commercial installations when installed in accordance with above report and the rules of the Board of Standards and Appeals and the petitioner requests a change of name from Easternoil Automatic Oil Burner, Models A, B and C, to Prize Automatic Oil Burner, Models A, B and C.

Resolved, that the resolution adopted by the board on March 15, 1932, be and it hereby is amended so that it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby approve the device known as the PRIZE OIL BURNER, Models A, B and C, formerly known

MINUTES

as Easternoil Automatic Oil Burner and approved by the board under date of March 15, 1932, under that name, for use in domestic and commercial installations for fuel oil not heavier than No. 3; when installed in accordance with the Fuel Oil Rules of the Board of Standards and Appeals and in conformity with the above report."

232-32-SA.

PETITIONER—Grant Oil Burner Corp.

SUBJECT—Grant Oil Burner, Model C—reopening—amendment to resolution.

APPEARANCES—

For Petitioner: Gudmund Swertsen.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe 1

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe 1

THE RESOLUTION—

(232-32-SA)

WHEREAS, James H. Manney, for Grant Manufacturing Corp., owner, filed May 2, 1932, a petition with the Board of Standards and Appeals for approval of their device known as the Grant Oil Burner, Model C; and

WHEREAS, this device was submitted to the fire department for test and report, and the report of the chief of the bureau of fire prevention, dated November 2, 1932, was substantially as follows:

An inspection and test was made of the Grant Oil Burner, Model C, installed in premises 600-12 West 51st street.

This is a mechanical draft, gun type burner of the pressure vaporizing type.

The burners are installed in bake ovens located on the fourth and fifth stories of premises.

Essential parts consist of approved rotary pump and one H. P. electric motor assembled on one shaft, strainer, furnace door unit, pump blown and motor unit assembled on one shaft nozzle, interlocking device between gas pilot and oil.

Oil Supply. Suction from storage tank through strainer, to and through rotary pump located in cellar above the top of storage tank then through discharge line to the fourth and fifth stories to and through the pump motor and fan unit to nozzle where oil is vaporized and discharged under pressure.

Ignition. Continuous gas pilot. Grant Flame Controlled interlocking device installed so that in the event of failure of gas pilot the device will operate and cut off flow of oil to burner.

The operation of burner depends on the continuous operation of the gas pilot.

Wrought iron pipe and fittings of standard weight and size used in this installation.

Standard copper tubing used as an integral part of burner.

The following tests were made and found to operate on the safety side.

Gas pilot extinguished. Interlocking device between the gas pilot and oil supply operated and cut off flow of oil to burner in 15 seconds.

Remote control operated efficiently.

Gas pilot not extinguished by starting puffs or back drafts.

No explosions or puff backs during period of test.

There appears to be a report in the record of the Underwriters Laboratories recommending this burner designed for hot water, steam or hot air installations where burners having single pumps are permitted.

The inspectors who tested and inspected this oil burner recommend approval of the Grant Oil Burner, Model C, as described in this report for industrial and commercial uses, each installation to be under the direct supervision of a competent person holding a certificate of fitness from the bureau of fire prevention and further when installed in accordance with the fuel oil rules; and

WHEREAS, this device was approved by the Underwriters Laboratories, Guide No. 300-10-4, File No. M.P. 639; and

WHEREAS, this device was approved by the Board of Standards and Appeals November 4, 1932, and the owner, through the agent, G. Sivertsen, requested an amendment to substitute a gas pilot safety control consisting of a syphon valve in lieu of the Grant flame control interlocking device and a report of the engineer of the board and of representatives of the bureau of combustibles, recommends such substitution.

Resolved, that the resolution adopted by the board on November 4, 1932, be and it hereby is amended, so that as amended, the resolution will read:

"that the Board of Standards and Appeals does hereby approve the device known as Grant Oil Burner, Model "C", for commercial and industrial use when used with fuel oil not heavier than No. 3 and when installed in accordance with the Fuel Oil Rules of the Board of Standards and Appeals and in conformity with the above report and including the gas pilot safety control as recommended for approval by the engineer of the board and representative of the bureau of combustibles, under date of May 28, 1934."

102-34-SA.

PETITIONER—Louis S. Bloom, for Bock Oil Burner Corporation, owner.

SUBJECT—Bock Oil Burning Water Heater, approval of.

APPEARANCES—

For Petitioner: Louis S. Bloom.

ACTION OF BOARD—Petition approved in accordance with report of engineer of the board and bureau of combustibles, fire department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe 1

THE RESOLUTION—

(102-34-SA)

WHEREAS, Louis S. Bloom, for Bock Oil Burner Corporation, owner, filed April 14, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Bock Oil Burner Water Heater, and;

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The burner is of the mechanical draft pot type, installed as a part of a special storage water heater. The burner is integral with the water heating boiler.

Ignition—Manual.

MINUTES

The burner consists of a combustion pot, air tube, American blower, driven by a 1/500 H.P. Century motor; a Detroit lubricator strainer.

Controls—a hydro-switch type No. 30, manufactured by the Time-O-Stat Manufacturing Company and a Bock constant level valve and a Solenoid high and low flame unit.

The undersigned examined and tested the constant level valve and find that its construction and workmanship are such that it may be accepted on this burner. The constant level device is so equipped that by means of floats, when any excess oil is sent to the burner, or to the device itself, it operates and shuts off the flow of oil to the burner. The burner operates constantly on the high and low flame, according to the setting of the thermo-control.

As test and examination showed the safety devices to function properly, no puff backs, carbon deposits or fluctuations of flame, and as the burner has been approved by the National Board of Fire Underwriters, we recommend the approval of the Bock Oil Burning Water Heater for domestic, commercial and industrial use when installed in accordance with the Fuel Oil Rules adopted by the Board of Standards and Appeals.

and
WHEREAS, this device was approved by the Underwriters Laboratories, Guide No. 300-10-4, File No. M.P. 672.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Bock Oil Burning Water Heater, for use in domestic and commercial installations when used with oil not heavier than No. 3 and when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

341-33-SA.

PETITIONER—Volcano Burner Corporation, owner.
SUBJECT—Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2—approval of.

APPEARANCES—

For petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe	1

THE RESOLUTION—

(341-33-SA)

WHEREAS, Volcano Burner Corporation, owner, filed November 13, 1933, a petition with the Board of Standards and Appeals for approval of its device known as the Volcano Automatic Oil Burner, Models EW-1, EW-2, EW-3; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of

the fire department, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

REPORT OF BURNER TEST.

The representative of the board and two representatives of the bureau of combustibles of the fire department witnessed the tests made on the burner, Model EW-1, in operation at No. 3415 Tibbett avenue, Borough of The Bronx, January 4, 1934.

The burner is of the pressure atomizing gun-type, operated by electric power, assembled in accordance with the description in the petition before the board:

A Janette electric motor, 1/6 H.P.; a Sirocco type fan manufactured by the Volcano Oil Burning Corp.; a strainer manufactured by the Cuno Engineering Corp.; a Tuthill pump; Webster transformer of 10,000 volts output; a Monarch regulating and cut-off valve of the piston type and Monarch nozzle of 2 gallon per hour capacity. Pump and fan are mounted on the same shaft.

Controls: Minneapolis Honeywell Pressuretrol, type L-104-2 and a Protectorelay, type R-117-3.

Ignition: Electric.

Burner constructed to use No. 2 fuel oil.

Under test, cutting off the power while the burner was in operation, the fire was immediately extinguished with a slight amount of smoke resulting; the Protectorelay cut-off the power less than 91 seconds after the burner was started with no fuel oil supply; the electrodes produced a steady white arc at the fire end of the nozzle which showed very slight carbon deposits; all controls responded and operated in a safe and satisfactory manner. No evidence of a fire hazard appeared during the tests.

The approval of the burner, Model EW-1, is recommended for domestic and commercial use when installed in accordance with the requirements of the Fuel Oil Rules.

Model EW-1 was the only model tested.

and

WHEREAS, this burner was approved by the Underwriters Laboratories, Laboratories File M.P. 615, April 8, 1931; and

WHEREAS, the petitioner requested an amendment of the resolution to include in the approval Models SW-1-S and EW-2 which differ from the model approved simply as to capacity and a report of the engineer of the board recommends the approval of these models.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Volcano Automatic Oil Burner, Model EW-1, EW-1-S and EW-2, for use in domestic and commercial installation when used with fuel oil not heavier than No. 2 and installed in accordance with above report and the fuel oil rules of the Board of Standards and Appeals.

Adjourned, 4:05 p. m.

EDWARD V. BARTON, Chief Clerk.

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

PUBLIC HEARING

PROPOSED REVISION OF FUEL OIL RULES

[217-21-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, June 15, 1934, at 2 p. m., Room 1013, Municipal Building, on Proposed Revision of Fuel Oil Rules.

Oil Burner Rules

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (½") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (½) inch plaster boards, or asbestos boards, or three-eighths (¾) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

PUBLIC HEARING

STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be approved type, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 25 pounds per square inch without permanent distortion, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of twenty-five (25) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

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Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground.

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh, when necessary to prevent floating, tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Above-ground storage tanks shall be protected by an embankment or a dyke. Such protection shall have a capacity or not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

(c) Vents shall be not less than one and one-quarter inches (1¼") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

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less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or driveway.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. The terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for permit shall be made by the installer on a form furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burner, capacity, number and location of storage tanks, together with approval of such location by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances, Chapter X, Article 3, Section 43.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch wick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than eighteen (18) inches. Where such parts are insulated by two (2) inches of asbestos, or equivalent, the clear distance shall be not less than nine (9") inches, or, in lieu of such insulation the combustible material may be covered with fire-retarding material as defined in these rules.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by an asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

Rule 15. Instruction Cards.

Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	May Oil Burner.....	68-24-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Auto-Heat Oil Burner.....	284-33-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1.....	359-33-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Jr. Oil Burner.....	1176-27-SA	National Airoil High Pressure Burner.....	185-29-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil Low Pressure Burner.....	186-29-SA
Best Calorex Burner.....	1464-21-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Bock Oil Burning Water Heater.....	102-34-SA	North American Low Pressure Oil Burner...	792-26-SA
Brighton Oil Burner.....	372-33-SA	Oilbilt Burner.....	85-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Oronoque Oil Burner.....	394-30-SA
Burnwell Mechanical Burner.....	957-22-SA	Packard Fuel Oil Burner.....	77-34-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Model W Oil Burner.....	452-31-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
D'Elia Oil Burner.....	155-31-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
DeWalt Oil Burner.....	541-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Doe Oil Burner.....	317-31-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enco Mechanical Oil Burner.....	509-30-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Forsdraft Oil Burner	41-34-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Frankfort Type P Oil Burner.....	1046-23-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Gem Fuel Oil Burner.....	111-26-SA	S. K. Oil Burner, Model F.....	369-33-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Ghapco Steam Generator.....	348-31-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Standardyne Oil Burner.....	34-34-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Steam Oil Burner.....	183-22-SA
Grant Oil Burner, Model "C".....	232-32-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sun Heat Oil Burner.....	603-29-SA
Hammond Oil Burner.....	72-31-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Harris Fuel Oil Burner.....	690-30-SA	Sunway Oil Burner.....	624-30-SA
Hart Oil Burner, Model "H".....	221-33-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hayward Oil Burner.....	696-30-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hobeco Oil Burner.....	1278-21-SA	Timken Rotary Oil Burner.....	297-29-SA
Holby Oil Burner.....	328-27-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Todd Spiro Oil Burner.....	470-31-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Todd Spiro Burner (pump type).....	94-32-SA
Kreager Oil Burner.....	367-30-SA	Todd Steam Atomizing Fuel Oil Burner.....	123-23-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Vaporoil Burner	44-32-SA
Liberty Automatic Heater.....	129-28-SA	Warner Oil Burner, Model A.....	16-34-SA
Liberty Pressure Oil Burner.....	75-34-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Lientz Oil Burner.....	155-20-SA	Wizard Automatic Oil Burner.....	181-33-SA
Lonergan Automatic Oil Burner.....	208-33-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		
Maxon Oil Burner (New Style).....	1036-22-SA		

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Foster Oil Burner.....	715-26-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA		
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner.....	373-30-SA
Arcoil Heat Machine.....	632-26-SA	Gar Wood Oil Burner, Model K and Model K-3500	481-32-SA
Auto-Heat Oil Burner.....	284-33-SA	General Electric Fuel Oil Burner.....	434-32-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
		Ghapco Steam Generator.....	348-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gill Oil Burner.....	1231-23-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Berggren Oil Burner.....	764-26-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner.....	731-28-SA	Gulf Oil Burner.....	382-26-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner.....	813-25-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner.....	1162-24-SA
Branford Oil Burner.....	36-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner	696-30-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heatiator Oil Burner.....	1346-23-SA
		Heil Combustion Fuel Oil Burner.....	1105-22-SA
Caloroil Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner, Type B... ..	295-29-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Carborundum Burner	571-29-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
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APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
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Mayflower Oil Burner.....	124-29-SA	Shepard Oil Burner.....	563-30-SA
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Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
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Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Burner, Model "B".....	709-30-SA
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Nokol Automatic Burner.....	1078-24-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
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Oronoque Oil Burner.....	394-30-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
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WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Court Decision.

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Notices in Building Zone Cases.

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Minutes of Regular Meeting, June 5, 1934, at 2 P. M.

Approved Fuel Oil Pumps.

Notice of Public Hearing on Proposed Revision of Fuel Oil Rules.

Approved Burners for Industrial Use.

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Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, June 11, 1934*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, June 18, 1934*, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New cases Filed up to June 6, 1934.

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154-34-A.....	F.D.....	160 West 146th street (Block 2014, Lot 38), Manhattan. 75619-LC.
153-34-BZ.....	D.B.Q.....	Northeast Corner of Fresh Meadow road and 65th street (Block 2679, Lots 1 to 4, inc.), Flushing, Queens. Plan 543-34.
152-34-BZ.....	D.B.B.....	344 Cumberland street (Block 2005, Lot 52), Brooklyn. Applic. 2992-34.
151-34-A.....	F.D.....	Northwest Corner of Cromwell avenue and Scotland avenue (Block 3469, Lot 1), South Beach, Richmond. 67827-LC.
150-34-A.....	D.B.M.....	57-69 West 19th street, Northeast Corner of 6th avenue (Block 821, Lot 1), Manhattan. 12245-F.
149-34-A.....	D.B.B.....	579-583 Smith street, Northeast Corner Creamer street (Block 487, Lot 1), Brooklyn. Applic. 5721-34.
148-34-BZ.....	D.B.Q.....	164-02 89th avenue and 89-01 to 89-07 164th street, Southeast Corner (Block 866, Lots 56-59), Jamaica, Queens. Plan No. 560-34.
147-34-BZ.....	D.B.Q.....	187-41 Hillside avenue, Northwest Corner of 188th street (Block 1007, Lot 1), Hollis, Queens. N.B. 502-34.
146-34-A.....	D.B.B.....	279-347 Freeman street, Northeast Corner of Prevost street (Block 2507, Lots 1 and 13), Brooklyn. Applic. 6337-34.
<i>Restored to Calendar.</i>		
62-34-BZ.....	D.B.B.....	6502-6504 Fort Hamilton parkway, Southwest Corner of 65th street (Block 5750, Lots 19 and 20), Brooklyn. Applic. 319-34.
229-33-BZ.....	D.B.Q.....	130-09 Jerome avenue (Block 508, Lots 25 and 27), Richmond Hill, Queens. Decision.
436-32-SA.....	F.D.....	Scott-Newcomb Pioneer Oil Burner, Model S-N Junior, Appliance.
229-32-SA.....	F.D.....	Camel Automatic Oil Burner, Model A. S. Appliance.
345-31-SA.....	F.D.....	Silent Glow Oil Burner, Models 800, 1800 and 2800. Appliance.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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Concrete Rules (Hydrated Lime).....	Jan. 9, 1934—Vol. 19 No. 2
Elevator Rules.....	Dec. 12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
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Fire Drill Rules.....	May 30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.	Nov. 28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of.....	Apr. 10, 1934—Vol. 19 No. 15
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COURT DECISION.

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

Gershenhorn v. Murdock—Mr. Justice MacCrate—Board sustained. May 16, 1933, Board granted application for gas station in business district, under section 21. Cal. No. 13-33-BZ; Premises 1552-60 Stillwell Ave., S. W. cor. Kings Highway, Brooklyn. Objectors' certiorari order dismissed. Appellate Division—confirmed order dismissing certiorari and confirmed determination of Board as modified. (N.Y.L.J. May 4, 1934.)

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 11, 1934, AT 2 P. M.

Building Zone Cases.

26-34-BZ.

APPLICANT—Larry Meltzer, for Victor Meyer, owner.
PREMISES—601-629 Avenue "R", northeast corner of Ocean parkway (Block No. 6663, Lot No. 47), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

CALENDAR

TO PERMIT in a residence district the change of occupancy of an existing building to a motor vehicle repair shop.

130-34-BZ.

APPLICANT—Crocker Fire Prevention Corp., for John Bertorello, owner.

PREMISES—52 West 54th street (Block No. 1269, Lot No. 70), Borough of Manhattan.

APPLICATION, under sections 7b and 21 of the building zone resolution,

TO PERMIT partly in a retail district and partly in a residence district, the change of occupancy of part of an existing building to business use.

644-20-BZ.

APPLICANT—Samuel Rosenblum, for H. P. C. Corp., owner.

PREMISES—1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station (reopened April 24, 1934).

956-27-BZ.

APPLICANT—Scacchetti & Siegel, for The Nod-Away Co., Inc., owner.

PREMISES—1510-1518 Jerome Avenue, east side, 105.36 ft. north of East 172nd street (Block No. 2846, part of Lot No. 6, The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously granted by the Board and the time limit expired; reopened May 29, 1934).

JUNE 12, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 12, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 108-26-BZ—Application of Eugene De Rosa, on behalf of Emerdyck Realty Corp., owner, reopened May 22, 1934, for an amendment of resolution as to area of proposed theatre building—re Application, under sections 7b and 21 of the building zone resolution, to permit the extension from a business district into a residence district of a proposed theatre building; premises 4913-4923 Broadway (Block No. 2241, Lot Nos. 25, 26 and part of Lot No. 28), Borough of Manhattan.

CAL. NO. 717-28-BZ—Application of Frank J. Schefcik, on behalf of Theodore Ornstein, present owner, reopened May 22, 1934, to amend the resolution, to permit the erection of a pent house for additional car storage—re Application, under sec-

tions 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

CAL. NO. 39-34-BZ—Application, February 13, 1934, under section 21 of the building zone resolution, of Hlavac & Dlouhy, applicants, on behalf of Little Neck Investors, Inc., owner, to permit in a residence district the change of occupancy of an existing building to business use (restaurant); premises Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

CAL. NO. 81-34-BZ—Application, March 28, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Girolomo Staropoli, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 196-08 Hillside avenue, south side, 50.42 ft. east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 12, 1934, 2 P. M.

Appeals from Administrative Orders.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

120-34-A—234 West 56th street (Block No. 1027, Lot No. 56), Manhattan.

131-34-A—643 Brook avenue (Block No. 2361, Lot No. 34), The Bronx.

143-34-A—241-245 West 64th street (Block No. 1156, Lot No. 11), Manhattan.

149-34-A—579-583 Smith street, northeast corner of Creamer street (Block No. 487, Lot No. 1), Brooklyn.

Appliance Submitted for Approval.

117-34-SA—Carter Oil Burner, Models 4X and 5X.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 12, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by a committee of the Board:*

CALENDAR

CAL. NO. 1213-24-BZ—Application of Charles Schaefer, Jr., on behalf of T. & R. Construction Co., Inc., owner, reopened October 3, 1933, under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station; premises southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), The Bronx.

CAL. NO. 78-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Cross Bay Theatre, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

JUNE 15, 1934, at 2 P. M.

SPECIAL MEETING.

Rules

217-21-SR—Fuel Oil Rules, Proposed Revision of.

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 18, 1934, AT 2 P. M.

Building Zone Cases

43-34-BZ.

APPLICANT—Ferdinand Savignano, for Francesco Frasca, owner.

PREMISES—6522-6524-13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the maintenance of a gasoline service station illegally installed.

119-34-BZ

APPLICANT—Webwill Realty Corporation, owner.

PREMISES—23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

138-34-BZ.

APPLICANT—William E. Jackson, for Crusader Realty Corporation, owner.

PREMISES—Northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

JUNE 19, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 19, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 118-34-BZ—Application, May 1, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Robert Ward, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Brooklyn.

CAL. NO. 418-31-BZ—Application of McCabe and Hickey, on behalf of Gerwan Realty Co., Inc., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Brooklyn.

CAL. NO. 47-34-BZ—Application, February 17, 1934, under sections 7a and 21 of the building zone resolution, of Crescent L. Varrone, applicant, on behalf of Abrem Cohen, owner, to permit partly in a business district and partly in a residence district, the replacement of a frame lumber shed with a concrete structure; premises East side of 95th street, 100 ft. north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

CAL. NO. 76-34-BZ—Application, March 24, 1934, under section 21 of the building zone resolution, of Arverne Bay Construction Company, applicant and owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JUNE 19, 1934, 2 P. M.

Appeal from Administrative Order.

134-34-A—476 Sackman street (Block No. 3778, Lot No. 30), Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 19, 1934, at 2 o'clock, in Room 1013, Municipal Building,*

CALENDAR

on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 100-34-BZ—Application, April 12, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Kariene Burke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 101-34-BZ—Application, April 13, 1934, under section 21 of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of P. M. H. Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.

CAL. NO. 459-32-BZ—Application of Mildred I. Hefter, owner, reopened April 10, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and also a motor vehicle repair shop; premises Southeast corner of Merrick boulevard (road) and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

CAL. NO. 993-26-BZ—Application of Jacob A. Freedman, on behalf of Leo Schumer, owner, reopened March 27, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

CAL. NO. 35-34-BZ.—Application, February 9, 1934, under section 21 of the building zone resolution, of Samuel Roth, applicant, on behalf of Fannie Levy, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 25, 1934, AT 2 P. M.

Building Zone Cases.

79-34-BZ

APPLICANT—Martin J. Ort, for Angelo Malgieri, owner.

PREMISES—Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

133-34-BZ.

APPLICANT—Otto J. Sambach, for Bartholdi Turecamo; owner.

PREMISES—2411-2427 Warehouse avenue, north side, 93'7- $\frac{1}{8}$ " east of 24th avenue (Block No. 6927, Lot No. 7), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a fuel oil storage plant.

135-34-BZ.

APPLICANT—Benjamin Chester, for Rose Karron, owner.

PREMISES—822-840 Pennsylvania avenue, west side, 195 ft. south of Linden boulevard (Block No. 4346, Lot Nos. 17 and 20), Brooklyn.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT in a residence use and also D area district the extension of an existing factory building and also, the omission of the required rear yard.

140-34-BZ.

APPLICANT—Matthew W. Del Gaudio, for Carolernesto Realty Co., Inc., owner.

PREMISES—3114 Jerome avenue, southeast corner of East 204th street (Block No. 3321, Lot No. 36), The Bronx.

APPLICATION, under section 7a of the building zone resolution,

TO PERMIT in a business district the alteration and conversion of occupancy of an existing building to a gasoline service station.

JUNE 25, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 26, 1934, at 2 o'clock, in Room 1013, Municipal Building,* on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 62-34-BZ—Application, March 6, 1934; denied May 15, 1934; reopened under new facts June 5, 1934, under section 21 of the building zone resolution, of Henry G. Harrington, applicant, on behalf of Dagmar Matsen Clements, owner, to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

CALENDAR

CAL. NO. 107-34-BZ—Application, April 19, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of John Bauer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

CAL. NO. 96-34-BZ—Application, April 9, 1934, under section 21 of the building zone resolution, of Kennedy & Ellner, applicants, on behalf of Milfan Building Corp., owner, to permit partly in a residence district and partly in a business district the erection and maintenance of a

gasoline service station; premises northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

CAL. NO. 375-33-BZ.—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

HARRIS H. MURDOCK, *Chairman*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, JUNE 5, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, May 29, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, May 29, 1934, were approved as printed in Bulletin No. 23, Vol. XIX.

BUILDING ZONE CASES.

107-34-BZ.

APPLICANT—Samuels & Samuels, for John Bauer Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: P. G. Tweeddale.

ACTION OF BOARD—Laid over to June 26, 1934, at 2 p. m., for report of committee of inspection. No further argument.

993-26-BZ.

APPLICANT—Jacob A. Freedman, for Leo Schumer, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened March 27, 1934).

PREMISES AFFECTED—5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob A. Freedman and Michael Levine.

For Opposition: Alderman L. E. Isnardi, James M. Butterley, William B. Linder, Charles Tilgner, Rev. Peter E. Keleher and John P. Anderson.

ACTION OF BOARD—Laid over to June 19, 1934, at 2 p. m., for report of committee of inspection. No further argument.

76-34-BZ.

APPLICANT—Arverne Bay Construction Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10 and 11 and part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Francis A. McGrath.

For Opposition: Jacob Wieder and Charles H. Fier.

ACTION OF BOARD—Laid over to June 19, 1934, at 10 a. m., on request of applicant's representative.

95-34-BZ.

APPLICANT—Edward P. Doyle for Francesco Cassano, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7c and 21 of the building zone resolution, to permit partly in a residence district and partly in an unrestricted district, the erection and maintenance of a baker shop and also, the omission of the required rear yard.

PREMISES AFFECTED—East side of Linden street (avenue), 50 ft. south of 34th avenue (Park place); (Block No. 4951, Lot No. 27), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Edward P. Doyle.

For Opposition: None.

ACTION OF BOARD—Laid over to June 5, 1934, at 2 p. m., on request of applicant.

MINUTES

96-34-BZ.

APPLICANT—Kennedy & Ellner, for Milfan Building Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy.

For Opposition: Royal E. Dalrymple, Clifford B. Marshall, Edmund J. Kane, Philip Kollmer and A. J. Sullivan.

ACTION OF BOARD—Laid over to June 26, 1934, at 2 p. m., for report of committee of inspection. No further argument.

511-32-BZ.

APPLICANT—Charles Schaefer, Jr., for Rutherford H. Clark, owner.

SUBJECT—Request for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a residence district the alteration and change of occupancy of part of an existing building for business purposes (store).

PREMISES AFFECTED—East side of Gerard avenue, 111.87 ft. south of East 161st street (Block No. 2474, Lot No. 37), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles Schaefer, Jr.

ACTION OF BOARD—Request to reopen—denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting, partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—130-09 Jerome avenue (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Irving Proskauer and Joseph Goodis.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

62-34-BZ.

APPLICANT—Henry G. Harrington, for Dagmar Matsen Clements, owner.

SUBJECT—Application for reopening—reconsideration under new facts—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a busi-

ness district the alteration of a structure occupied as a garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry G. Harrington.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing on June 26, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

55-31-BZ.

APPLICANT—David L. Blick for Jack J. Falk, owner.

SUBJECT—Application for reopening—re extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration of a garage for the storage of more than five (5) motor vehicles (a garage previously granted by the board) so as to include a gasoline service station.

PREMISES AFFECTED—6401-6411 Fort Hamilton avenue (parkway) and 956-972 64th street (Block No. 5743, Lot No. 45, 48 and 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: David L. Blick.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(55-31-BZ)

WHEREAS, this application affecting premises 6401-6411 Fort Hamilton avenue (parkway) and 956-972 64th street (Block No. 5743, Lot Nos. 45-48 and 50), Borough of Brooklyn, was granted by the board June 16, 1931, on certain conditions and amended to extend the time, and applicant requests a further extension of the time limit imposed.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on June 16, 1931, so that the time limit in which to obtain permits shall be extended eight (8) months and to complete work one (1) year from the date of this amended resolution *on condition* that the resolution adopted by the board on June 16, 1931, shall be complied with in all other respects, and that the resolution of the board referred to therein, adopted by the board on March 18, 1930, in connection with Cal. No. 653-29-BZ, shall be complied with as to garage portion in all respects other than as to requirement therein to obtain permits and complete work.

Adjourned, 1:45 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 5, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

375-33-BZ.

APPLICANT—Martin J. Ort, for Dandern Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), Borough of The Bronx.

APPEARANCES—

For Applicant: J. Ryan and B. Sheinman.

For Opposition: Lester A. Kent.

ACTION OF BOARD—Laid over to June 26, 1934, at 2 p. m., for report of committee of inspection. No further argument.

35-34-BZ.

APPLICANT—Samuel Roth, for Fannie Levy, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also a gasoline service station.

PREMISES AFFECTED—74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Roth.

For Opposition: Louis J. Felsteiner, Emanuel Goldberg and others.

ACTION OF BOARD—Laid over to June 19, 1934, at 2 p. m., for report of committee of inspection. No further argument.

56-34-BZ.

APPLICANT—Lama and Proskauer, for Joseph Cafiero, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a petroleum storage plant.

PREMISES AFFECTED—2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: John H. Borrie.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

95-34-BZ.

APPLICANT—Edward P. Doyle, for Francesco Cassano, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a residence district and partly in an unrestricted district, the erection and maintenance of a baker shop, and, also, the omission of the required rear yard.

PREMISES AFFECTED—East side of Linden street (avenue), 50 ft. south of 34th avenue (Park place); (Block No. 4951, Lot No. 27), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Edward P. Doyle.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(95-34-BZ)

WHEREAS, Edward P. Doyle, for Francesco Cassano, owner, filed April 9, 1934, an application under the building zone resolution to permit partly in a residence district and partly in an unrestricted district, the erection and maintenance of a baker shop and also the omission of the required rear yard; premises: east side of Linden street (avenue), 50 ft. south of 34th avenue (Park place); (Block No. 4951, Lot No. 27), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 5, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden street (avenue) is in an unrestricted use and "B" area district and 137th street is in a residence use and "D" area district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 7, 1934, re Plan No. 194-34, reads:

"1. The erection of a baker shop is an unrestricted district extending into a residence district is contrary to zone law.

"2. Provide rear yard."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 33.2 ft. and a depth of 125 ft. The rear portion of the lot extends into the residence use and "D" area district for a distance of 25 ft. and the remainder of the lot is in the unrestricted use and "B" area district. There is located on the plot a two-story and attic, brick structure, 49 ft. by approximately 20 ft. irregular in area. It is proposed to erect at the front of this structure and extending to the street line, a one-story brick extension, 25 ft. 4 in. by 16 ft. 8 in. in area to be used as a store; at the rear lot line it is proposed to erect a one-story structure 33 ft. by 45 ft. in area to be used as a baker shop. At the northeast corner of the rear of the plot there will be a small yard, 4 ft. by 6 ft. 6 in. in area. This proposed baker shop building extends into the residence use and "D" area district for a distance of 25 ft. The zone resolution permits in a residence use and "D" area district the use of 60 per cent of the area of the lot within the residence district. Area in residence district is 825 sq. ft.; 60 per cent of this area is 495 sq. ft. Applicant proposes using 799 sq. ft. of the lot, as well as occupying the residence part of the plot as a baker shop; and

WHEREAS, the board is empowered under the provisions of section 7c of the building zone resolution to grant a variation of the requirements of said resolution where property is bisected by two use districts; and

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WHEREAS, the board deems that the applicant, therefore, is entitled to relief under section 7c and section 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the use and area district regulations of the building zone resolution and that the application be and it hereby is *granted*, permitting the portion of the proposed building to extend into the residential area without leaving an open area for yard, *on condition* that the portion constructed in the residential area shall not exceed one story in height above grade; that that one story shall not exceed 16 ft. in height; that the adjoining portion of the building in the unrestricted area shall be constructed one story in height making a total distance of the one story height from the rear line of 45 ft.; that there shall be no lot line windows opening from the portion of the building in the residential area to the adjoining properties; that the flue from the bake ovens as indicated at the rear shall be carried across the roof and attached to the rear wall of the higher section and carried above the roof of same; that other than as varied herein, the requirements of the zoning resolution shall be complied with in all respects; that all permits required shall be obtained within six months and all work completed within one year from the date of this action.

111-33-BZ.

APPLICANT—Conroy and Hardy, for Christ G. Callas, owner.

SUBJECT—Application for consideration—re-extension of time to complete work, time having expired—re: Application (decision of the superintendent of buildings) under section 7f of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station (reopened May 15, 1934).

PREMISES AFFECTED—Northeast corner of Jamaica Bay boulevard and Morrell avenue (Block No. 4046, Lot No. 82), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(111-33-BZ)

WHEREAS, this application affecting premises northeast corner of Jamaica Bay boulevard and Morrell avenue (Block No. 4046, Lot No. 82), Howard Beach, Borough of Queens, was granted by the board July 11, 1933, on certain conditions, and the time limit imposed has expired; and

WHEREAS, this application was reopened by vote of the board May 15, 1934; and

WHEREAS, a public hearing was held on the application June 5, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* for a temporary period of two years from the date of this action, under section 7f of the building zone resolution, on condition that the gasoline pumps installed shall be located at least 10 ft. back from the building line of Jamaica Bay boulevard and from the building line of Morrell avenue as extended; that any building on the property shall be limited to a building not over 400 sq. ft. in area, to be used only as an office and for sale of accessories; that that portion

of the property toward Jamaica Bay boulevard, which is now approximately at street grade, shall be leveled and surfaced with cracked stone, steamed cinders or equivalent material; that the entrances to this property shall not exceed two (2) from Jamaica Bay boulevard with curb cuts not over 20 ft. wide each and that no part of any entrance shall be nearer than 10 ft. to the side lot line to the north and not nearer than 10 ft. to the intersection formed by Jamaica Bay boulevard and Morrell avenue as extended; that no portable gasoline tanks shall be used on or from the property; that signs advertising non-conforming uses shall be restricted to the illuminated globes of the gasoline pumps and to flat signs attached to the front and side wall of the accessory building; that all permits required shall be obtained within six months and all work completed within one year from the date of this action.

1149-24-BZ.

APPLICANT—Croker Fire Prevention Corporation, for Herman W. J. Bruning, owner.

SUBJECT—Application for consideration—re-extension of permit—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence district the maintenance of an existing garage for six (6) motor vehicles for a temporary period of two (2) years (reopened May 15, 1934).

PREMISES AFFECTED—63-63½ Schaeffer street (Block No. 3421, Lot Nos. 57 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(1149-24-BZ)

WHEREAS, this application affecting premises 63-63½ Schaeffer street (Block No. 3421, Lot Nos. 57 and 58), Borough of Brooklyn, was granted by the board April 28, 1925, for a temporary period of two years under section 7, subdivision g, on certain conditions, reopened April 5, 1932, and granted for a further temporary period of 2 years June 7, 1932; and

WHEREAS, applicant requested a reopening of the case and a further extension of the temporary period under section 21, and the case was reopened by vote of the board May 15, 1934; and

WHEREAS, a public hearing was held on the application June 5, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the board deemed that applicant had substantiated his basis of appeal for the reopened case under section 21.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* for a temporary period of two years from the date of this action under section 21 of the building zone resolution, *on condition* that the structure shall be restricted to the existing masonry structure with a roof surfacing of incombustible materials, not over one story in height, located on the rear of the lot for a width of 50 ft. and a depth of approximately 20 ft., for use of six (6) cars of the pleasure type only, prohibiting taxicabs or trucks; that four spaces may be rented to persons not residing on the premises; that this variance shall continue only so long as the property shall remain under the present ownership and only so long

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as the present owner resides in the two-story frame dwelling located on the front portion of the lot; that there shall be no storage of gasoline other than in the tanks of the cars stored on the premises; that the rear and gable walls shall be unpierced throughout their entire height and length; that there shall be no gasoline equipment installed and no signs of any nature displayed on the premises.

7-34-BZ.

APPLICANT—Henry B. Brucker, for Salzi Homes, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

APPEARANCES—

For Applicant: Henry C. Brucker.

For Opposition: Marie Stutz and G. L. Kudl.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(7-34-BZ)

WHEREAS, Henry C. Brucker, for Salzi Homes, Inc., owner, filed January 18, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises: southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 5, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Rocky Hill road is in a business district, 221st place is in a residence district, 90th avenue is in a residence district and Billings street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 17, 1934, re Plan No. 55-1934, reads:

"1. The erection of a gasoline service station within a business district and extending into a residence district is contrary to section 4-46 and section 3 of the zone resolution.

"Not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 215 ft. on Rocky Hill road, approximately 181 ft. on 221st place and a distance of 130 ft. along the east lot line. A small, irregular portion of the southeast corner of the plot is in the residence district; the remainder is in the business district. Proposes to erect on the site a one-story office, 20 ft. by 15 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises in question was the subject of an inspection and report by a committee of the board, which report was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 7-34-BZ.

Premises: Southeast corner Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

The zoning variance sought in this application is for permission to erect and maintain a gasoline service station at the southeast corner of Rocky Hill road and 221st place, Borough of Queens, in an area that is zoned mainly for business with a small portion in the rear zoned for residence.

Rocky Hill road, also known as Braddock avenue, is a very old thoroughfare which is in the process of being widened. The frontage is generally zoned for business and in the immediate area is largely vacant. To the north and south of this business area the section is zoned for residential use and many single family houses have been erected within the last ten years. Some of the streets in this section have not yet been opened. This is true of 221st place, also known as Lewellen avenue, at the junction with Rocky Hill road, where these premises under appeal are located. South of this proposed Lewellen avenue, the large block bounded by Rocky Hill road, Manhattan avenue, 90th or Linden avenue, is entirely vacant. Part of the property within this block, namely, lot 7 to 15, block 1725, is owned by the same owners as the proposed gas station site. To the north of this, along Rocky Hill road, is a large nursery. There are no non-conforming uses in this area. It is apparently a section which will be developed for private homes.

While the development started several years ago has been arrested owing to the general business conditions, adjoining owners of large holdings strenuously object to the installation of this gasoline station because of the depreciating effect on their properties, which they have held for many years at large expense waiting for the city to grow in their direction, so that their properties could be marketed and developed. It is pointed out by these objectors that the owners of this site under appeal have acquired their property relatively recently, namely, 1926, and that they should not be permitted to have this zoning variance which would accrue to their financial benefit, but which would be disastrous as to adjoining properties. Objection to the variance was also voiced by Alderman Buhler who appeared at the hearing and stated he was a resident of the community for thirty years and objected to the gasoline station, calling attention to the high grade development that had already started and which was to be expected because of the location and proximity of parks and parkways. The representative of the Citizens Association of Queens and Village of Bellaire voiced similar objections and called attention to the reliance of small home owners on the zoning law to protect them from non-conforming uses.

This site under appeal and the adjoining section was inspected by a committee of the board on May 24, 1934, and the committee feels that the objections raised at the hearing were well substantiated and that this variance should not be granted. They find that there has been no hardship proven. These owners are owners of vacant property who have acquired it for its speculative value and now find because of the cessation of building operations that the carrying charges are becoming burdensome.

The applicant was not able to state at the public hearing whether the property was mortgaged or not, but subsequently a letter received from one of the officers of the owning company states that there is due in assessments upon all their holdings which includes this site under appeal a total of \$2,095 for assessments and taxes for the years 1932, 1933 and 1934, and that they have no object in mind other than to obtain some revenue from this vacant land which is becoming more and more of a burden to carry as the number of taxes and assessments is increased. While the committee is sympathetic with the financial difficulties of these owners, it cannot agree that this is an evidence of hardship peculiar to this property, as

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other owners of vacant lands are unquestionably in the same position. The board grants a variance on a specific site because of some hardship on that site that is not a condition common to other sites in the area similarly zoned. If the burden of carrying vacant land is the hardship on which the board grants variances, there could be a piecemeal or even wholesale breaking down of the zoning law during depression times.

The committee is of the opinion that it would be a mistake to permit a gasoline station to be erected in the midst of this area which would interfere with the continuation of the development that has already started and recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application, and the board deemed that the applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPROVAL OF PLANS.

225-33-BZ.

APPLICANT—Nat C. Helman for Marie V. Hogan, owner.

SUBJECT—Application for approval of plans in accordance with resolution adopted by the board on November 28, 1933.

PREMISES AFFECTED—2761-2771 86th street, northwest corner of West 9th street (Block No. 7141, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Plans approved on condition.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4.
Negative	0
Absent	0

THE RESOLUTION—

(225-33-BZ)

WHEREAS, this application affecting premises 2761-2771 86th street, northwest corner of West 9th street (Block No. 7141, Lot No. 1), Borough of Brooklyn, was granted by the board November 28, 1933, on certain conditions, and applicant requests an approval of the plans filed May 22, 1934, as complying with the stipulations of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *approve* plans submitted as complying with the requirements of the resolution adopted by the board on November 28, 1933, *on condition* that the requirements of the resolution shall be complied with in all respects, including the use of face brick, the distance of gasoline pumps from accessory buildings, street curb cuts and light standards.

PETITION FOR VARIATION.

91-34-S.

PETITIONER—Young Men's Christian Association of the City of New York, owner.

SUBJECT—Petition for variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—536-538 West 20th street (Block No. 691, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Petitioner: Edwin A. Berkery.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

APPLIANCES SUBMITTED FOR APPROVAL.

345-31-SA.

PETITIONER—The Silent Glow Oil Burner Corp., owner.

SUBJECT—Silent Glow Oil Burner—Reopening—for approval of Models 800, 1800 and 2800.

APPEARANCES—

For Petitioner: Irvin Hecht.

ACTION OF BOARD—Petition reopened, restored to calendar, placed on reserve calendar, referred to bureau of combustibles, fire department and engineer of the board for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

229-32-SA.

PETITIONER—Bernard Kupperman, for Campbell Machine Co., owner.

SUBJECT—Camel Automatic Oil Burner—reopening—for approval of Model A.S.

APPEARANCES—

For Petitioner: Bernard Kupperman.

ACTION OF BOARD—Petition reopened, restored to calendar, placed on reserve calendar, referred to bureau of combustibles, fire department and engineer of the board for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

436-32-SA.

PETITIONER—Scott-Newcomb, Inc., owner.

SUBJECT—Scott-Newcomb Pioneer Oil Burner—reopening—for approval of Model S-N, Junior.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition reopened, restored to calendar, placed on reserve calendar, referred to bureau of combustibles, fire department and engineer of the board for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

105-34-SA.

PETITIONER—E. A. McLarney, for Kelvinator Sales Corp., owner.

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SUBJECT—Kelvinator Oil Burner, Model K, approval of.
APPEARANCES—

For Petitioner: E. A. McLarney.

ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(105-34-SA)

WHEREAS, E. A. McLarney, for Kelvinator Sales Corp., owner, filed April 17, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Kelvinator Oil Burner, Model K; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the mechanical draft pressure atomizing type, and consists of the following parts: A Kelvinator Motor, $\frac{1}{8}$ horsepower, a Kelvinator Fan, and a Webster Fuel Unit consisting of pump strainer and pressure regulating valve. Fan and pump are mounted upon the same shaft. A Monarch nozzle is used.

Ignition—Electric. Jefferson Transformer, 110 to 10,000 volts.

Controls—Minneapolis-Honeywall Pressuretrol, L-404 and Protecto-relay R-117-3.

The electrodes were taken out and connected to the transformer and on examining the spark same was found to be of sufficient length and intensity. Burner was then operated. With the oil supply shut off, the control shut the motor off in 83 seconds. This test was reported the second time and found to be satisfactory. The burner was then operated under normal conditions for 20 minutes. The frame was clean and free from smoke. Examination of combustion chamber showed no undue deposits of carbons.

We, therefore, recommend that the Kelvinator Oil Burner, Model K, be approved for domestic, commercial and industrial use, provided that all other provisions of the Fuel Oil Rules, adopted by the Board of Standards and Appeals, be fulfilled;

and

WHEREAS, this device has been approved by the Underwriters Laboratories, Guide No. 300-10-4, File M. P. 952, for oil not heavier than No. 3.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Kelvinator Oil Burner, Model K, for use in domestic, commercial and industrial installations when used with oil not heavier than No. 3 and when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

Adjourned, 3:30 p. m.

EDWARD V. BARTON, Chief Clerk.

APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model		M. D. Rotary.....	52-27-SA
No. 1000	9-32-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Monroe Oil Pump.....	658-26-SA
Beach Russ Co. Rotary.....	1134-22-SA	Northern Rotary	1396-24-SA
Blackmer Rotary	935-24-SA	Pascoe Pump Set.....	1029-26-SA
Blake & Knowles Horizontal Simplex Piston		Petro-Nokol Industrial Oil Pump.....	570-32-SA
Pattern Pump	372-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Century Rotary	908-21-SA	Quimby Screw Pump.....	1193-21-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump.....	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump.....	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Double Oscillating Force Pump....	458-27-SA	Tate-Jones	492-21-SA
Deming Fuel Oil Pump.....	298-31-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Enterprise Oil Pump.....	11-28-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Exeter Rotary	507-22-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
General Electric Oil Pump.....	475-32-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Hand Rotary.....	1133-25-SA	Viking	438-21-SA
Goulds Rotary Oil Pump.....	437-31-SA	Warren Oil Pump.....	1169-23-SA
Goulds Triplex Plunger.....	257-22-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Worthington Duplex Double-Acting Steam	
Koerting Gear Pump.....	1264-25-SA	Pump	184-22-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Worthington Show Model Duplex.....	194-22-SA

PUBLIC HEARING

PROPOSED REVISION OF FUEL OIL RULES

[217-21-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, June 15, 1934, at 2 p. m., Room 1013, Municipal Building, on Proposed Revision of Fuel Oil Rules.

Oil Burner Rules

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

PUBLIC HEARING

STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be approved type, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 25 pounds per square inch without permanent distortion, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of twenty-five (25) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

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Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground.

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh, when necessary to prevent floating, tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity or not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

(c) Vents shall be not less than one and one-quarter inches (1¼") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

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less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or driveway.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. The terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for permit shall be made by the installer on a form furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burner, capacity, number and location of storage tanks, together with approval of such location by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances, Chapter X, Article 3, Section 43.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch wick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than eighteen (18) inches. Where such parts are insulated by two (2) inches of asbestos, or equivalent, the clear distance shall be not less than nine (9") inches, or, in lieu of such insulation the combustible material may be covered with fire-retarding material as defined in these rules.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by an asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

Rule 15. Instruction Cards.

Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	May Oil Burner.....	68-24-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Auto-Heat Oil Burner.....	284-33-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1.....	359-33-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Jr. Oil Burner.....	1176-27-SA	National Airoil High Pressure Burner.....	185-29-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil Low Pressure Burner.....	186-29-SA
Best Calorex Burner.....	1464-21-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Bock Oil Burning Water Heater.....	102-34-SA	North American Low Pressure Oil Burner...	792-26-SA
Brighton Oil Burner.....	372-33-SA	Oilbilt Burner.....	85-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Oronoque Oil Burner.....	394-30-SA
Burnwell Mechanical Burner.....	957-22-SA	Packard Fuel Oil Burner.....	77-34-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Model W Oil Burner.....	452-31-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
D'Elia Oil Burner.....	155-31-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
DeWalt Oil Burner.....	541-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Doe Oil Burner.....	317-31-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enco Mechanical Oil Burner.....	509-30-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Forsdraft Oil Burner	41-34-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Frankfort Type P Oil Burner.....	1046-23-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Gem Fuel Oil Burner.....	111-26-SA	S. K. Oil Burner, Model F.....	369-33-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Ghapco Steam Generator.....	348-31-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Standardyne Oil Burner.....	34-34-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Steam Oil Burner.....	183-22-SA
Grant Oil Burner, Model "C".....	232-32-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sun Heat Oil Burner.....	603-29-SA
Hammond Oil Burner.....	72-31-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Harris Fuel Oil Burner.....	690-30-SA	Sunway Oil Burner.....	624-30-SA
Hart Oil Burner, Model "H".....	221-33-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hayward Oil Burner.....	696-30-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hobeco Oil Burner.....	1278-21-SA	Timken Rotary Oil Burner.....	297-29-SA
Holby Oil Burner.....	328-27-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Todd Spiro Oil Burner.....	470-31-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Todd Spiro Burner (pump type).....	94-32-SA
Kelvinator Oil Burner, Model K.....	105-34-SA	Todd Steam Atomizing Fuel Oil Burner....	123-23-SA
Kreager Oil Burner.....	367-30-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Vaporoil Burner	44-32-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Warner Oil Burner, Model A.....	16-34-SA
Liberty Automatic Heater.....	129-28-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Liberty Pressure Oil Burner.....	75-34-SA	Wizard Automatic Oil Burner.....	181-33-SA
Lientz Oil Burner.....	155-20-SA		
Lonergan Automatic Oil Burner.....	208-33-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		
Maxon Oil Burner (New Style).....	1036-22-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Appliances Submitted for Approval.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

345-51-SA—Silent Glow Oil Burner, Models 800, 1800 and 2800.

209-32-SA—Croker 4-inch Siamese.

229-32-SA—Camel Automatic Oil Burner, Model A. S.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

436-32-SA—Scott-Newcomb Pioneer Oil Burner, Model S-N Junior.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

222-33-SA—Dowie Combination Anti-Syphon Valve.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

346-33-SA—Goodspeed Oil Burner Nozzle Type II.

349-33-SA—Herco Oil Burner.

1-34-SA—Hager Silent Check Valve.

32-34-SA—Super Oil Burner for Pressing Machine.

33-34-SA—Tridex Cleaning Machine.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

108-34-SA—Wheco Oil Burner.

124-34-SA—Alida Oil Burner.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

132-34-SA—Acme Oil Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

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Requests for extension of time.....	30	Requests for modification granted.....	1
Requests for extension of permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	9	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	30
Requests for interpretation	1	Requests for extension of time denied.....	0
Total	660	Requests for extension of permit granted.....	9
Disposed of	501	Requests for extension of permit denied.....	0
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		Requests to install denied.....	0
		Plans approved	9
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		Interpretations	1
		Requests withdrawn or dismissed.....	7
		Total.....	501

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

CONTENTS

- This issue of the Bulletin contains, in the order given—
- Docket.
 - Call of Clerk's Calendar.
 - Notices in Building Zone Cases.
 - The Trial Calendar.
 - Minutes of Regular Meeting, June 12, 1934, at 10 A. M.
 - Minutes of Regular Meeting, June 12, 1934, at 2 P. M.
 - Correction.
 - Fuel Oil Rules.
 - Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, June 18, 1934*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, June 25, 1934*, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET.

New Cases Filed up to June 13, 1934.

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
161-34-BZ.....	D.B.M.....	60-62 West 133rd st. (Block 1730, Lot 63), Manhattan. Alt. 1086-34.
160-34-BZ.....	D.B.Q.....	North Side of 84th Drive, 100' East of Queens blvd. (Block 710, Lot 65), Forest Hills, Queens. Plan No. 819-34

159-34-BZ.....	D.B.Bx....	590 East Fordham rd., southwest corner Arthur ave. (Block 3067, Lots 8, 54 & 56), Bronx. N.B. 93-34.
158-34-BZ.....	D.B.Bx....	1896 East 177th st., Block bounded by Westchester ave., White Plains rd., 177th st. & Hugh Grant Circle (Block 3928, Lots 1, 5, 6 & 7), Bronx. N.B. 94-34.

157-34-SA.....	F.D.....	S. T. Johnson Oil Heat Servant, Appliance.
156-34-SA.....	F.D.....	Allen's Siamese Connection for Fire Department Use, Appliance.
155-34-SA.....	F.D.....	Midget Oil Burner, Appliance.

Restored to Calendar.

168-28-BZ.....	B.B.Q.....	Northwest corner of Kissena blvd. and North Hempstead Turnpike (Block 5179 (old 1056) Lot 1), Flushing, Queens. Plan No. 903-34.
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

	<i>Last Publication in Bulletin</i>
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Concrete Flat Slabs, Rules.....	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	Jan. 9, 1934—Vol. 19 No. 2
Elevator Rules.....	Dec. 12, 1933—Vol. 18 No. 50
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept. 26, 1933—Vol. 18 No. 39
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Fire Retarding Rules for Garages, etc.	Nov. 28, 1933—Vol. 18 No. 48

Fireproof Wood, Testing of.....	Apr. 10, 1934—Vol. 19 No. 15
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4 No. 3
Fuel Oil Rules.....	Jan. 2, 1934—Vol. 19 No. 1
Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10 No. 14
Hatchway Protection.....	June 5, 1928—Vol. 13 No. 23
Paint, Varnish and Lacquer Spray- ing Rules.....	Apr. 17, 1934—Vol. 19 No. 16
Plumbing Rules.....	Mar. 27, 1934—Vol. 19 No. 13
Procedure, Rules of.....	June 20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O. Feb.	13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for.....	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules.....	Jan. 16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules.....	Sept. 26, 1933—Vol. 18 No. 39
Structural Alterations, Reporting.....	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	May 15, 1934—Vol. 19 No. 20
Fuel Oil Burners for Domestic and Commercial Use.....	June 5, 1934—Vol. 19 No. 23
Fuel Oil Burners for Industrial Use.....	June 12, 1934—Vol. 19 No. 24
Fuel Oil Pumps.....	June 12, 1934—Vol. 19 No. 24
Paint, Varnish and Lacquer Spray- ing Equipment.....	Apr. 17, 1934—Vol. 19 No. 16

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 18, 1934, AT 2 P. M.

Building Zone Cases

43-34-BZ.
APPLICANT—Ferdinand Savignano, for Francesco Frasca, owner.
PREMISES—6522-6524-13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the maintenance of a gasoline service station illegally installed.

119-34-BZ
APPLICANT—Webwill Realty Corporation, owner.
PREMISES—23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

138-34-BZ.
APPLICANT—William E. Jackson, for Crusader Realty Corporation, owner.
PREMISES—Northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), The Bronx.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

JUNE 19, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 19, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 118-34-BZ—Application, May 1, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on

CALENDAR

behalf of Robert Ward, owner, to permit in a business district the erection and maintenance of a gasoline service station: premises 1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Brooklyn.

CAL. NO. 418-31-BZ—Application of McCabe and Hickey, on behalf of Gerwan Realty Co., Inc., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Brooklyn.

CAL. NO. 47-34-BZ—Application, February 17, 1934, under sections 7a and 21 of the building zone resolution, of Crescent L. Varrone, applicant, on behalf of Abrem Cohen, owner, to permit partly in a business district and partly in a residence district, the replacement of a frame lumber shed with a concrete structure; premises East side of 95th street, 100 ft. north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

CAL. NO. 76-34-BZ—Application, March 24, 1934, under section 21 of the building zone resolution, of Arverne Bay Construction Company, applicant and owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JUNE 19, 1934, 2 P. M.

Appeals from Administrative Orders.

134-34-A—476 Sackman street (Block No. 3778, Lot No. 30), Brooklyn.

149-34-A—579-583 Smith street, northeast corner of Creamer street (Block No. 487, Lot No. 1), Brooklyn.

129-34-A—1600 Broadway (Block No. 1020, Lot No. 29), Manhattan.

146-34-A—279-347 Freeman street (Block No. 2507, Lot Nos. 1 and 13), Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 19, 1934, at 2 o'clock*, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 100-34-BZ—Application, April 12, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Kariene Burke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 101-34-BZ—Application, April 13, 1934, under section 21 of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of P. M. H. Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.

CAL. NO. 459-32-BZ—Application of Mildred I. Hefter, owner, reopened April 10, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and also a motor vehicle repair shop; premises Southeast corner of Merrick boulevard (road) and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

CAL. NO. 993-26-BZ—Application of Jacob A. Freedman, on behalf of Leo Schumer, owner, reopened March 27, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Brooklyn.

CAL. NO. 35-34-BZ—Application, February 9, 1934, under section 21 of the building zone resolution, of Samuel Roth, applicant, on behalf of Fannie Levy, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, JUNE 25, 1934, AT 2 P. M.

Building Zone Cases.

79-34-BZ

APPLICANT—Martin J. Ort, for Angelo Malgieri, owner.

PREMISES—Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CA NDAR

APPLICATION, under section 21 of the building zone resolution
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

133-34 BZ.

APPLICANT—Otto J. Sambach, for Bartholdi Turecamo; owner.

PREMISES—2411-2427 Warehouse avenue, north side, 137-1/3" east of 24th avenue (Block No. 6927, Lot No. 7), Brooklyn.

APPLICATION, under section 21 of the building zone resolution.

TO PERMIT in a residence district the erection and maintenance of a fuel oil storage plant.

135-31 BZ.

APPLICANT—Benjamin Chester, for Rose Karron, owner.

PREMISES—822-840 Pennsylvania avenue, west side, 195 ft. south of Linden boulevard (Block No. 4346, Lot Nos. 17 and 20), Brooklyn.

APPLICATION, under sections 7a and 21 of the building zone resolution.

TO PERMIT in a residence use and also D area district the extension of an existing factory building and also, the omission of the required rear yard.

140-34-BZ.

APPLICANT—Matthew W. Del Gaudio, for Carol Ernesto Realty Co., Inc., owner.

PREMISES—3114 Jerome avenue, southeast corner of East 204th street (Block No. 3321, Lot No. 36), The Bronx.

APPLICATION, under section 7a of the building zone resolution.

TO PERMIT in a business district the alteration and conversion of occupancy of an existing building to a gasoline service station.

147-34-BZ.

APPLICANT—William J. Boegel, for Clifford Magerle, owner.

PREMISES—Northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution.

TO PERMIT in a business district the extension of an existing gasoline service station.

161-34-BZ.

APPLICANT—Patrick Quilty, Acting Chief Engineer Department of Water Supply, Gas and Electricity, for City of New York, owner.

PREMISES—60-62 West 133rd street (Block No. 1730, Lot No. 63), Jamaica.

APPLICATION, under sections 7-E and 21 of the building zone resolution.

TO PERMIT in a business district the change of occupancy of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles with a cost of more than fifty per cent (50%) of the value of the building above the foundation.

JUNE 26, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

of the building zone resolution, Tuesday morning, June 26, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 26-31-BZ—Application, January 30, 1934, under section 21 of the building zone resolution, of Larry Metzger, applicant, on behalf of Victor Meyer, owner, to permit in a residence district the change of occupancy of an existing building to a motor vehicle repair shop; premises 601-609 Avenue H, northeast corner of Canal pathway (Block No. 6663, Lot No. 47), Brooklyn.

CAL. NO. 644-20-BZ—Application of Samuel Roseblum on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 956-27-BZ—Application of Scacchetti and Siegel, on behalf of the Nod-Away Co., Inc., owner, reopened May 29, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station, this application previously granted and the time limit expired; premises 1510-1518 Jerome avenue, east side, 103.6 ft. north of East 172nd street (Block No. 2846, part of Lot No. 6), The Bronx.

HARRIS H. MURDOCK, Chairman

JUNE 26, 1934, 2 P. M.

Appeals from Administrative Orders.

270-33-A—1534 Eastern boulevard, south side, 449-49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 159), The Bronx.

131-34-A—643 Brook avenue (Block No. 2361, Lot No. 34), The Bronx.

142-34-A—80-08 Rockaway Beach boulevard, north side, 40 ft. west of Beach 80th street (Block No. 551, Lot No. 3), Rockaway Beach, Borough of Queens.

Petition for Variation

144-34-S—781 East 135th street (Block No. 2587, Lot No. 1), The Bronx.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, Tuesday afternoon, June 26, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CALENDAR

CAL. NO. 62-34-BZ—Application, March 6, 1934; denied May 15, 1934; reopened under new facts June 5, 1934, under section 21 of the building zone resolution, of Henry G. Harrington, applicant, on behalf of Laguarda Hotel Co., owner, to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

CAL. NO. 107-34-BZ—Application, April 19, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of John Bauer Realty Co., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

CAL. NO. 96-34-BZ—Application, April 9, 1934, under section 21 of the building zone resolution, of Kennedy & Ellner, applicants, on behalf of Milfan Building Corp., owner, to permit partly in a residence district and partly in a business district the alteration of a gasoline service station; premises northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

CAL. NO. 375-33-BZ—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

CAL. NO. 39-34-BZ—Application, February 13, 1934, under section 21 of the building zone resolution, of Hlavac & Dlouhy, applicants, on behalf of Little Neck Investors, Inc., owner, to permit in a residence district the change of occupancy of an existing building to business use (restaurant); premises Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

CAL. NO. 78-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Joseph D. Numan, Jr., applicant, on behalf of Cross Bay Theatre, Inc., owner, to permit partly in a business district and partly in a residence dis-

trict, the erection and maintenance of a gasoline service station; premises 94-15 to 94-19 Rockaway boulevard, north corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, JULY 2, 1934, AT 2 P. M.

Building Zone Cases.

121-34-BZ.

APPLICANT—Meyer Wilen, for Novick Holding Corp., owner.

PREMISES—North side of Northern boulevard, 10878 ft. west of Cross Island boulevard (Block No. 5073, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56) Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

161-30-BZ.

APPLICANT—Alfred J. Parsons, for Elsie Parsons, owner.

PREMISES—Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar, April 24, 1934).

64-32-BZ.

APPLICANT—Edwin H. Snackenberg, for Anna Weiss, owner.

PREMISES—Southwest corner of White Plains avenue and East 250th street (Block No. 4824, Lot Nos. 1 and 82), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station (previously denied; reopened for reconsideration under new facts May 1, 1934).

JULY 3, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday morning, July 3, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 130-34-BZ—Application, May 12, 1934, under sections 7b and 21 of the building zone resolution, of Croker Fire Prevention Corp., applicant, on behalf of John Bertorello, owner, to permit partly in a retail district and partly in a residence district, the change of occupancy of part of an existing building to business use; premises 52 West 54th street (Block No. 1269, Lot No. 70), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 3, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July*

3, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 81-34-BZ—Application, March 28, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Girolomo Staropoli, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 196-08 Hillside avenue, south side, 50.42 ft. east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1934, 2 P. M.

Appeal from Administrative Order.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING.

TUESDAY MORNING, JUNE 12, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, June 5, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, June 5, 1934, were approved as printed in Bulletin No. 24, Vol. XIX.

BUILDING ZONE CASES.

39-34-BZ.

APPLICANT—Hlavac & Dlouhy, for Little Neck Investors, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the change of occupancy of an existing building to business use (restaurant).

PREMISES AFFECTED—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Albert Hlavac and W. Bryce Rea.
For Opposition: Arthur J. Shaw, Jr., A. W. Ogden, Walter J. Murphy, Walter Kaiser, Thomas Keenan, Mary O'Loughlin, Peter H. Gibbins.

ACTION OF BOARD—Laid over to June 26, 1934, at 2 P. M., for report of committee of inspection. No further argument.

81-34-BZ.

APPLICANT—Samuels and Samuels, for Girolomo Staropoli, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—196-08 Hillside avenue, south side, 50.42 ft. east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.
For Opposition: Samuel Sprung, Elizabeth J. Goetz, Mary A. Mahler, Herman Peterson, Margaret H. Scharf, Robert N. Francis.

ACTION OF BOARD—Laid over to July 3, 1934, at 2 P. M., for report of committee of inspection. No further argument.

302-29-BZ.

APPLICANT—Conroy and Hardy, for John Sklar Holding Co., Inc., owner.

SUBJECT—Request for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting, partly in a residence district and partly in a business district, the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—146-156 East 98th street, northwest corner of Winthrop street (Block No. 4614, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

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108-26-BZ.

APPLICANT—Eugene De Rosa, for Emerdyck Realty Corp., owner.

SUBJECT—Application reopened May 22, 1934 (re decision of the commissioner of buildings) for an amendment of resolution as to area of proposed theatre building—re Application, under sections 7b and 21 of the building zone resolution, to permit the extension from a business district into a residence district of a proposed theatre building.

PREMISES AFFECTED—4913-4923 Broadway (Block No. 2241, Lot Nos. 25, 26 and part of Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Eugene De Rosa, F. W. Pinner and C. S. Crystal.

For Opposition: Helen C. Williams and Millicent C. Barringer.

ACTION OF BOARD—Application granted, on condition

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(108-26-BZ)

WHEREAS, this application affecting premises 4915-4923 Broadway (Block No. 2241, Lot Nos. 25, 26, 28 and 30), Borough of Manhattan, was granted by the board December 14, 1926, on certain conditions, but time to erect the building having expired, applicant requests a reopening of the case and an amendment of the resolution to permit the construction of a building with a frontage of 80 ft. and a depth of 150 ft. instead of a frontage of 163 ft. and a depth of 138 ft. as originally proposed, and affecting only lot Nos. 25 and 26 and part of Lot No. 28; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is a business district and Cooper street is a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 26, 1934, in acting on N. B. Application, No. 39-1934, reads:

"1. Westerly portion of building to be used for business purposes may not extend into residence district zone resolution, section 3."

and

WHEREAS, the proposed building is to be of fireproof construction, two stories in height, 80 ft. by 150 ft. in area, to be occupied as theatre and stores, the rear portion of the building extending into the residence district 25 ft.; and

WHEREAS, the board deemed that applicant had substantiated his basis of appeal under sections 7b and 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, permitting the construction of a motion picture theatre, as indicated on the revised plans marked "Received May 11, 1934" and covering a revised plot area 80 ft. in width by 150 ft. in depth, being the northerly portion of the plot formerly under appeal, and permitting the construction as indicated within the area zoned for residence, on condition that in the rear 12 ft. the building shall not exceed the height of 23 ft. at rear line above the Broadway curb, as indicated; that the entire rear of building shall be constructed of light face brick; that there shall be no openings in the rear

walls of building facing west; that a retaining wall shall be constructed on rear property line up to the grade of the property to the west; that, other than this use variance in a residential area, all laws, rules and regulations applying to this building shall be complied with; and that all permits shall be obtained within six months and any work involved shall be completed within one year from the date of this action.

717-28-BZ.

APPLICANT—Frank J. Schefcik, for Theodore Ornstein, present owner.

SUBJECT—Application reopened May 22, 1934 (re decision of the commissioner of buildings) to amend the resolution to permit the erection of a pent house for additional car storage—re Application, under sections 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Schefcik and Theodore Ornstein.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(717-28-BZ)

WHEREAS, this application affecting premises 152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan, was granted by the board January 29, 1929, on certain conditions, and applicant requests an amendment of the resolution to permit the erection of a pent house, 129 ft. 3 in. by 67 ft. in area, to be occupied for the storage of motor vehicles; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the commissioner of buildings, rendered May 4, 1934, in acting on alteration No. 931-1934, reads:

"1. Proposed extension of garage use in a business district is contrary to sections 4 and 6 of zone resolution."

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on January 29, 1929, as amended by resolutions adopted on March 5, 1929, April 5, 1930 and May 27, 1930, to permit the construction of a new pent-house story as indicated on plans filed marked "Received May 31, 1934" and permitting this new pent-house story to be used as part of the public garage, on condition that the construction of the proposed story shall be completely fireproof; that the present elevators in the pent-house shall not be extended in height; that the roof of this new pent-house story shall be so constructed as to preclude any storage of cars thereon; that the standpipe fireline system shall be extended to comply with the requirements of the Standpipe Fireline Rules of the Board of Standards and Appeals; that the requirements of the zoning law as to setbacks and height shall be complied with; that there shall be no windows or other openings in the wall of this pent-house story to the east or west; that all other windows and doors shall be

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fireproof, fire-closing; that, other than as amended herein, this additional story shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained within six months and any work involved completed within one year from the date of this action.

340-31-EZ.

APPLICANT—Conroy and Hardy, for Edward W. Cropsey, James L. Cropsey and C. & M. Holding Co., owners.

SUBJECT—Application for reopening—extension of time—re Application (re decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—7402-2418 Cropsey avenue, southwest corner of 24th avenue (Block No. 6927, Lot Nos. 47 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(340-31-BZ)

WHEREAS, this application affecting premises 2402 21 Cropsey avenue, southwest corner of 24th avenue (Block No. 6927, Lot Nos. 47 and 48), Borough of Brooklyn, was granted by the board July 22, 1932 on certain conditions, time extended June 13, 1933, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on July 22, 1932, be and it hereby is amended, only so far as it has to do with the completion of work, so that as amended, the clause relating thereto will read:

"that in view of statement by applicant that all permits have been obtained, all work shall be completed within one year from the date of this amended resolution and that the resolution other than as amended herein shall be complied with in all respects."

262-33-BZ.

APPLICANT—Wood and Marshall, for John Wild and Mary C. Wild, owners.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Merrick road and 125th avenue (Block No. 6777, Lot Nos. 49 and 50), South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Clifford B. Marshall.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(262-33-BZ)

WHEREAS, this application affecting premises southwest corner of Merrick road and 125th avenue (Block No. 6777, Lot Nos. 49 and 50), South Jamaica, Borough of Queens, was granted by the board December 12, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on December 12, 1933, be and it hereby is amended, only so far as it refers to the obtaining of permits and completion of work so that as amended, that clause of the resolution will read:

"that in view of statement by applicant that plans have been approved by the commissioner of buildings, that all permits shall be obtained within two months and all work completed within six months from the date of this amended resolution on condition that the resolution other than as amended herein shall be complied with in all other respects."

1401-1405-BZ.

APPLICANT—Eugene De Rosa for Taggart Holding Corporation, owner.

SUBJECT—Application for reopening amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station, under a variance granted by the board to a motion picture house.

PREMISES AFFECTED—1401-1405 Kings highway (Block No. 6777, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Eugene De Rosa.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(190-27-BZ)

WHEREAS, this application affecting premises 1401-1405 Kings highway (Block No. 6777, Lot No. 50), Borough of Brooklyn, was granted by the Board May 21, 1937, on certain conditions, amended June 19, 1938 and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on May 21, 1937, as amended by resolution adopted on June 19, 1938, in granting the existing building erected in

MINUTES

in accordance with these resolutions to be altered as indicated on plan filed, marked "received June 4, 1934," be and it hereby is *amended*, so as to eliminate the restaurant portion and stores in the rear and substitute therefor a 600 seat moving picture theatre, *on condition* that the moving picture theatre shall comply with all laws, rules and regulations applicable thereto that the basement occupancy shall be entirely cut off from the theatre portion by fireproof construction; that there shall be no openings from the rear of the building located in the residential area to adjoining properties; that the two required means of exit from the basement portion shall exit directly to East 14th street and be separated from the balance of the building by means of an approved fireproof partition; and that other than as amended herein the resolution adopted by the board on May 31, 1927 and amended June 19, 1928, shall be complied with in all respects.

PETITION FOR VARIATION.

545-32-S

PETITIONER—H. O. Weaver, for Estate of Ogden Goelet, owner.

SUBJECT—Application for reopening—amendment—re Petition for variation of the labor law as cited in a decision of the superintendent of buildings.

PREMISES AFFECTED—606-608 Fifth avenue and 2-4 West 49th street, southwest corner (Block No. 1254, Lot Nos. 39, 40 and 43), Borough of Manhattan.

APPEARANCES—

For Petitioner: H. O. Weaver.

For Administration: None.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(455-32-S)

WHEREAS this petition affecting premises 606-608 Fifth avenue and 2-4 West 49th street, southwest corner (Block No. 1254, Lot Nos. 39, 40 and 43), Borough of Manhattan, was granted by the board October 18, 1932, on certain conditions, and petitioner requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on October 18, 1932, be and it hereby is *amended* only so far as in reference to the approved sprinkler system, so that amended the same in reference to the approved sprinkler system will read:

"Building to be equipped throughout with approved sprinkler system complying with all requirements of the sprinkler rules of the Board of Standards and Measures except that the sprinkler heads may be located in the space now occupied or to be occupied by the elevator or hoist or of the goods or materials stored on pass railings." "received June 12, 1934." "provided no doors from this space to any other portion of the building not occupied by the bank shall be self-closing and that the building shall also be equipped with a fire alarm signal system maintained in a satisfactory condition to the administrative

official; and that other than as amended herein, the resolution adopted by the board on October 18, 1932, shall be complied with in all respects."

APPEALS FROM ADMINISTRATIVE ORDERS.

540-32-A.

APPELLANT—George M. Brett, for The Board of Higher Education, owner.

SUBJECT—Application for reopening—amendment—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—140th street and Amsterdam avenue (Block No. 2057, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Appellant: George M. Brett and Howard Bohin.

For Administration: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(540-32-A)

WHEREAS, this appeal affecting premises 140th street and Amsterdam avenue (Block No. 2057, Lot No. 1), Borough of Manhattan, was granted by the board January 20, 1933, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on January 20, 1933, be and it hereby is *amended*, so that as amended the resolution will read as follows:

"*Granted on condition* that the main fuel oil tank shall be installed in accordance with the fuel oil rules and the main gasoline tank installed in accordance with section 131, chapter 10, of the code of ordinances; that the piping to the supplementary tanks located on columns shall be of copper tubing, not less than 18 gauge in thickness, chased into the cement flooring and covered with not less than 2 in. of cement, and where exposed to be enclosed in steel piping; that the auxiliary tanks attached on the columns shall be located at least 10 ft. from the electrical switches or electrical equipment so as to prevent arcing, unless such switches or electrical equipment are enclosed in approved vaporproof boxes; that such auxiliary tanks may be filled by means of a hand pump from the main fuel tank; that fuel oil and gasoline to the engines shall be carried through copper tubing herein referred to with return lines similarly protected or buried, direct to the main tanks; that when the copper tubing feed and return lines are disconnected they shall be locked by means of a valve lock closed by padlock and the threaded end of the copper tubing capped; that the installation shall be substantially as indicated on plan filed with this appeal, numbered V.101 and V.101a; that there shall be no open flames in the laboratory; and also that these engines and equipment, fed from fuel and gasoline tanks, shall be used for instructional purposes only and shall at all times be in the charge of an instructor; and that such fire extinguisher equipment shall be installed as the administrative official may direct."

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246-33-A.

APPELLANT—Rosenthal Bros. Amusements, Inc., owner.
SUBJECT—Application for reopening—extension of time
—re Appeal from a decision of the fire commis-
sioner.

PREMISES AFFECTED—West Island, 4,000 ft. off
Bulkhead line, foot of Rockaway avenue, Jamaica
Bay, Brooklyn.

APPEARANCES—

For Appellant: Jack Rosenthal.

For Administration: None.

ACTION OF BOARD—Appeal reopened and time ex-
tended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commission-
ers Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commission-
ers Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(246-33-A)

WHEREAS, this appeal affecting premises West Island,
4,000 ft. off Bulkhead line, foot of Rockaway avenue
Jamaica Bay, Borough of Brooklyn, was granted by the
board July 18, 1933, on certain conditions, and appellant

requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on
July 18, 1933, be and it hereby is *amended*, so that as
amended it will read as follows:

"Granted on condition that the fireworks display
shall be limited to Thursdays for one, ½ hour period,
each day, between the hours of 9 p. m. and 10 p. m.
and limited to eleven consecutive weeks commencing
June 21, 1934; that the display of fireworks shall be
limited to the westerly end of West Island within an
area not exceeding 200 ft. square, directly in line with
the concrete pier of the City of New York at the foot
of Rockaway parkway, the distance from same to West
Island being approximately 4,000 ft.; that the discharge
and display of fireworks shall at all times be under the
supervision of a person holding a certificate of fitness,
who has passed an examination conducted by the
bureau of combustibles of the fire department as a
pyro-technist; that the appellant shall at all times hold
a permit from the bureau of combustibles of the fire
department permitting such fireworks display; that no
fireworks of a prohibited nature shall be used, and that
all the regulations of the fire department shall be
complied with by the appellant or his representative
in charge relative to the storage, handling and dis-
play of fireworks."

Adjourned, 1:15 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 12, 1934.

Present: Chairman Murdock, Commissioners Savage
and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

78-34-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Cross Bay
Theatre, Inc., owner.

SUBJECT—Application (re decision of the commissioner
of buildings) under section 21 of the building zone
resolution, to permit partly in a business district
and partly in a residence district, the erection and
maintenance of a gasoline service station.

PREMISES AFFECTED—94-15 to 94-19 Rockaway
boulevard, northeast corner of Woodhaven boule-
vard (Block No. 396, part of Lot No. 114), Ozone
Park, Borough of Queens.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr.

For Opposition: None.

ACTION OF BOARD—Laid over to June 26, 1934, at 2
p. m., on request of applicant.

168-28-BZ.

APPLICANT—John Kochendorfer, for Adelaide F. Gar-
bade, owner.

SUBJECT—Application for reopening—restoration to cal-
endar—Application (re decision of the commis-
sioner of buildings) under section 21 of the build-

ing zone resolution to permit partly in a business
district and partly in a residence district the erec-
tion and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner Kissena
boulevard and North Hempstead turnpike (Block
5179, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: John Kochendorfer.

ACTION OF BOARD—Application reopened, subject to
usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commission-
ers Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

1213-24-BZ.

APPLICANT—Chas. Schaefer, Jr., for T. & R. Construc-
tion Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner
of buildings) under section 21 of the building zone
resolution, to permit in a residence district the
erection and maintenance of a gasoline service sta-
tion (reopened October 3, 1933).

PREMISES AFFECTED—Southwest corner of East
185th street and Southern boulevard (Block No.
3114, Lot Nos. 21, 23, 25 and 26), Borough of The
Bronx.

APPEARANCES—

For Applicant: Charles Schaefer, Jr.

For Opposition: Abraham Kuntz, Francis Stogel
and Lillian Arnstein.

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ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0

THE RESOLUTION—

(1213-24-BZ)

WHEREAS, there was filed with the Board of Standards and Appeals October 10, 1924, an application to permit in a residence use district the erection and maintenance of a garage for the storage of more than five motor vehicles; premises: west side of Southern boulevard, 20 ft. south of East 185th street; and

WHEREAS, this application was denied by the board December 30, 1924, and present owner through his architect, Charles Schaefer, Jr., requested a reopening of the case and a variation of the building zone resolution to permit in a residence district the erection and maintenance of a gasoline service station; premises: southwest corner of East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), Borough of The Bronx; and

WHEREAS, this case was reopened by the vote of the board October 3, 1933; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 185th street is in a residence district, Southern boulevard is in a residence district, Prospect avenue is in a residence district, East 183rd street is in a business district and East 187th street is in a business district; and

WHEREAS, the decision of the commission of buildings, rendered February 14, 1934, re Applic. N. B. 288-1933, reads:

"1. Erection of building and maintenance of premises in residence district for gasoline service station contrary to provisions of building zone resolution."

and
WHEREAS, the premises consist of a vacant corner lot, 131.56 ft. frontage on Southern boulevard and 108.5 ft. frontage on East 185th street by 130 ft. in depth, located within a residence use district; it is proposed to erect a gasoline service station on the front of the lot facing Southern boulevard; install five pumps, bury five 550 gallon tanks, erect two grease racks, one brake adjustment rack, an office and auto laundry; the westerly portion, 40 ft. by 130 ft. of the lot will be reserved for a low cost apartment house; and

WHEREAS, the premises under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 1213-24-BZ.

Premises: Southwest corner East 185th street and Southern boulevard (Block No. 3114, Lot Nos. 21, 23, 25 and 26), Borough of The Bronx.

This is an application to permit a plot at the southwest corner of Southern boulevard and East 185th street to be used for a gasoline service station. The plot has a frontage of approximately 132 ft. on Southern boulevard and approximately 109 ft. on East 185th street, all of which is located in a residence district. The plot is vacant.

It is proposed to use only 68 ft. of this plot along East 185th street and leave the balance of 40 ft. vacant and

for the present, to be developed, according to the applicant, with a conforming use.

The applicant claims that because of the location on Southern boulevard, which is a main traffic thoroughfare with car tracks, together with being directly opposite that portion of Bronx Park used for the Bronx Zoo, and also the fact that the adjoining plot to the South is occupied by a public garage, that his property is not available for the construction of an apartment house, particularly at this time because of the construction cost and the low prevailing rents. The present owners have owned this property since they foreclosed a three-year mortgage in 1929.

This plot was inspected by a committee of the board on June 7, 1934, and the committee, while recognizing that for the present it may be difficult if not impossible to finance a multiple dwelling, considers this site admirably adapted to such use. The northerly portion of this block and the southerly portion of the block across 185th street are zoned for residence use which, in the committee's opinion, is the proper zoning for this particular section. In this area, however, is the garage to the south of the plot under appeal which is a non-conforming use in existence at the time of the passage of the zoning resolution. On the plot adjoining to the west on East 185th street, marked vacant on the plans filed with this appeal, there has been constructed a new private residential building. The buildings across East 185th street are all apartments, in one of which at the corner there is a store, presumably in existence prior to zoning. The only other case in this immediate vicinity that has been before the board was one for a garage approximately 100 ft. to the south. That application was denied under Cal. No. 1173-27-BZ, and it is worthy of note that since the denial there has been an apartment house constructed on the site. The site under appeal, however, has also been before the board under this same calendar number in 1924. At that time the then owner desired to build a two-story public garage over the entire area. That application was denied and the opposition to the garage at that time is well stated by one of the objectors in the following language:

"It is true that there is a garage adjoining the premises in question. That garage occupancy was established before we had the benefit of the zoning law. It would seem a pity to desecrate the Southern boulevard which is the main artery which fronts Bronx Park. * * * If the board establishes a precedent of permitting this garage, in a short time many of the beauties of Southern boulevard would be ruined."

In the opinion of the committee, the same basis still exists for refusing the variance. The only difference is the substitution of a gasoline station for a two-story public garage. In the opinion of the committee, the reasons for denial in this particular case at least are the same. That there can be no need for further gasoline stations along this section of Southern boulevard is apparent as there is one in each direction within a distance of about a block and two more large stations within a few blocks on Fordham road.

The committee cannot agree that any hardship has been shown or proven that would justify the board to grant this variance under section 21, and the committee is of the opinion that the public health, safety and general welfare require that another gasoline station at this point shall not be permitted.

(Signed) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

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WHEREAS, the report of the committee recommends the denial of the application and the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE ORDERS.

80-34-A.

APPELLANT—New York Enamel Products, Inc., lessee.
SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—702 East 12th street (Block No. 381, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Appellant: Samuel Bierman.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Laid over to July 10, 1934, at 2 p. m., upon request of appellant's representative.

270-33-A.

APPELLANT—John J. Dunnigan, for Robitsek Investing Company, owner.

SUBJECT—Application for restoration to calendar, previously placed on reserve calendar—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5511, Lot Nos. 8, 31, 42, 44 and 150), Borough of The Bronx.

APPEARANCES—

For Appellant: John J. Dunnigan and Joseph F. Ducebury.

For Administration: None.

ACTION OF BOARD—Laid over to June 26, 1934, at 2 p. m.

131-34-A.

APPELLANT—Ridgefield Refrigeration Service, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—643 Brook avenue (Block No. 2661, Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Appellant: None.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to June 26, 1934, at 2 p. m., upon written request of appellant's representative.

149-34-A.

APPELLANT—Edward L. Barton and M. Thomas Ketz, for Nelson Bros. Fuel Corp., lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—579-583 Smith street, northeast corner of Creamer street (Block No. 487, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Edward L. Barton and M. Thomas Ketz.

For Administration: None.

ACTION OF BOARD—Laid over to June 19, 1934, at 2 p. m., for further consideration, also inspection by committee of the board.

120-34-A.

APPELLANT—Ansonia Fire Prevention Eng. Co., Inc., for Wm. Wiese & Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—234 West 56th street (Block No. 12, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(120-34-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Wm. Wiese & Co., Inc., owner, filed May 2, 1934, an appeal from an order and a decision of the commissioner of buildings affecting premises 234 West 56th street (Block No. 1027, Lot No. 56), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated January 11, 1934, re Order No. 8150-F, reads:

"1. Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at rear side of building or other approved protection as per section 375, article 18, chapter 5, code of ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated April 13, 1934, reads:

"In reference to your request to rescind Order No. 8150-F issued against the above premises and requiring as follows:

Items:—"Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at rear side of building or other approved protection as per section 375, article 18, chapter 5, code of ordinance."

"You are advised that as the building is occupied for business use, exceeds forty feet in height, and contains unprotected exposures in the rear wall, your request is hereby denied."

and

WHEREAS, the building is non-fireproof, 5 stories (50 ft. 5 in.) in height, 20 ft. by 85 ft. in area, OCCUPIED: cellar, 1000 sq. ft.; 1st story, shipping, 2 persons; 2nd story, cutting, 2 persons; 3rd story, office, 9 persons; 4th and 5th stories, stock rooms, no occupancy; locate within a business district; and

WHEREAS, the appellant claims the building was erected in 1838, has been continually used for business purposes since; there are 15 window openings at rear (south) side of the building affected by the order, no objection to question has been raised as to these openings during the past 65 years until the issuance of the order under appeal; the entire building is used by one tenant with a very small occupancy; openings from the adjacent 4-story department building at east, the 11-story sprinklered fireproof building at southwest, 27 ft. distant, equipped through wall with

MINUTES

proof windows, also the 6-story brick building at south, 26 ft. 2 in. distant, and a 1-story brick extension at west, 22 ft. 5 in. distant, cause the exposure at rear; furthermore, the appellant contends that any possible hazard from this building is very remote, as the window openings nearby have metal covered frames and wire glass, and the fireproof windows are a considerable distance away; it is requested that the requirement for fireproof windows or iron shutters be waived.

Resolved, that the order and decision of the commissioner of buildings be and they hereby are *modified*, and the appeal be and it hereby is *granted* so long as the occupancy conditions continue and the building is not increased in height or area and *on condition* that the number of persons employed at factory work shall not exceed five (5) and the total number of persons shall not exceed the capacity of the stairway.

143-34-A.

APPELLANT—August Corsini, for Gertner Baking Corp., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—241-245 West 64th street (Block No. 1156, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Appellant: August Corsini.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(143-34-A)

WHEREAS, August Corsini, for Gertner Baking Corp., filed May 19, 1934, an appeal from a decision of the commissioner of buildings affecting premises 241-245 West 64th street (Block No. 1156, Lot No. 11), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated May 9, 1934, re Plan No. 1711-32, reads:

"Burners must be of type approved by the Board of Standards and Appeals."

and

WHEREAS, the building is fireproof, 5 stories in height, 75 ft. by 95 ft. in area; OCCUPIED: Cellar—boiler room; 1st story—garage; 2nd story—offices; upper stories—bakery; and

WHEREAS, there has been installed in the baking ovens on these premises S. T. Johnson Low Pressure Air Equipment Oil Burners; and

WHEREAS, it appears that under Cal. No. 375-32-SA, a petition was filed June 24, 1932, for the general approval of the burner now used in these premises and that on recommendation of a representative of the bureau of combustibles of the fire department this burner was disapproved October 21, 1932; that thereafter on October 10, 1933, the petition was restored to the calendar and referred to the engineer of the board and to the bureau of combustibles of the fire department for test and report; that on May 11, 1934, the report for general approval was received and the present appeal filed for approval of the burner is a result of the same.

It is requested that the report for approval of the burner be referred to the S. T. Johnson Low Pressure Air Equipment Oil Burner and that the burner be approved.

of combustibles at these premises and a report dated April 23, 1934, recommended "that this burner be approved for this particular installation only, as per request under date of April 14, 1934, and that combustion throats are provided on each burner and other provisions of the fuel oil rules are complied with".

Resolved, that the decision of the commissioner of buildings, dated May 9, 1934, in acting on Plan No. 1711-32, be modified and the appeal be and it hereby is granted permitting the use of the existing S. T. Johnson Low Pressure Air Equipment Oil Burner in these premises, *on condition* that a combustion throat be provided for each burner and that the fuel oil rules of the Board of Standards and Appeals be fully complied with, and further that this resolution shall not be interpreted as an approval of this burner for general use.

APPLIANCES SUBMITTED FOR APPROVAL.

117-34-SA.

PETITIONER—General Oil Heating Corp., owner.

SUBJECT—Carter Oil Burner, Models 4X and 5X, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and bureau of combustibles, fire department, for test and report.

108-34-SA.

PETITIONER—Westchester Home Equipment Co., Inc., owner.

SUBJECT—Wheco Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles, fire department.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(108-34-SA)

WHEREAS, Westchester Home Equipment Co., Inc., owner, filed April 20, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Wheco Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the mechanical draft pressure atomizing type, and consisted of the following parts:

A Jenette electric motor, 1/6 H.P.; a Jenette blower; Weiser fuel unit consisting of pump, strainer and regulating valve; Weiser Transformer; Cannonier and Mo arch nozzle. The burner also is made up at times with a 1/8 H.P. Jenette motor and blower.

It is a portable type R-117-3. Pressure-control type L-404-2, manufactured by the Minneapolis Air Conditioning Company.

Ignition—Electric.

The burner was examined and tested and it was found to be of sufficient intensity and length

MINUTES

With oil supply shut off, burner was operated from a cold start, and on two successive tests, the Protectorelay shut the burner down in 91 and 90 seconds, respectively. During the period of test there were no puff backs, and examination of the flame showed same to be free of soot and smoke. Combustion chamber showed no undue deposits of carbon.

This device has been approved by the Underwriters Laboratories Guide No. 310.4, File No. M. P. 939, for use with fuel oil not heavier than No. 3.

It is therefore recommended that the Wheco Oil Burner, when installed in accordance with the Fuel Oil Rules, be approved for domestic, industrial and

and

WHEREAS, this device has been approved by the Underwriters Laboratories, Guide No. 300-10-4, File M. P. 939, for oil not heavier than No. 3.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Wheco Oil Burner, for use in domestic, commercial and industrial installations when used with oil not heavier than No. 3 and when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

Adjourned, 3:30 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

CORRECTION*

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday, May 29, 1934, as they appeared in Bulletin No. 23, Vol. XIX, are hereby corrected to read as follows:

341-33-SA.

PETITIONER—Volcano Burner Corporation, owner.

SUBJECT—Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2—approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(341-33-SA)

WHEREAS, Volcano Burner Corporation, owner, filed November 13, 1933, a petition with the Board of Standards and Appeals for approval of its device known as the Volcano Automatic Oil Burner, Models EW-1, EW-2, EW-3; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of the fire department, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

REPORT OF BURNER TEST.

The representative of the board and two representatives of the bureau of combustibles of the fire department witnessed the tests made on the burner, Model EW-1, in operation at No. 3415 Tibbett avenue, Borough of The Bronx, January 4, 1934.

*Correction—SW-1-S changed to EW-1-S in line 55 of Resolution.

The burner is of the pressure atomizing gun-type, operated by electric power, assembled in accordance with the description in the petition before the board:

A Janette electric motor, 1/6 H.P.; a Sirocco type fan manufactured by the Volcano Oil Burning Corp.; a strainer manufactured by the Cuno Engineering Corp.; a Tuthill pump; Webster transformer of 10,000 volts output; a Monarch regulating and cut-off valve of the piston type and Monarch nozzle of 2 gallon per hour capacity. Pump and fan are mounted on the same shaft.

Controls: Minneapolis Honeywell Pressuretrol, type L-104-2 and a Protectorelay, type R-117-3.

Ignition: Electric.

Burner constructed to use No. 2 fuel oil.

Under test, cutting off the power while the burner was in operation, the fire was immediately extinguished with a slight amount of smoke resulting; the Protectorelay cut-off the power less than 91 seconds after the burner was started with no fuel oil supply; the electrodes produced a steady white arc at the fire end of the nozzle which showed very slight carbon deposits; all controls responded and operated in a safe and satisfactory manner. No evidence of a fire hazard appeared during the tests.

The approval of the burner, Model EW-1, is recommended for domestic and commercial use when installed in accordance with the requirements of the Fuel Oil Rules.

Model EW-1 was the only model tested.

and

WHEREAS, this burner was approved by the Underwriters Laboratories, Laboratories File M. P. 615, April 8, 1931; and

WHEREAS, the petitioner requested an amendment of the resolution to include in the approval Models EW-1-S and EW-2 which differ from the model approved simply as to capacity and a report of the engineer of the board recommends the approval of these models.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Volcano Automatic Oil Burner, Model EW-1, EW-1-S and EW-2, for use in domestic and commercial installation when used with fuel oil not heavier than No. 2 and installed in accordance with above report and the fuel oil rules of the Board of Standards and Appeals.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

RULES

OIL BURNER RULES

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals
June 15, 1934

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

RULES

STORAGE TANK, AUXILIARY: Any tank for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

GRA. FEED PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 10 pounds per square inch without permanent deformation, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished head shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent resisting material and where 48" in diameter the shell shall have a thickness of not less than $\frac{3}{16}$ of an inch.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oil having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grade) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

RULES

Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and raised not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed two thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground

(a) Storage tanks located outside of buildings, below ground shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance and free from stones larger than will pass through a one-inch (1") mesh, when necessary to prevent floating tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core, of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil, shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run in on a main header.

(c) Vents shall be not less than one and one-quarter (1¼) inches in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

RULES

less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or private right of way.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. The terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for approval for permit shall be made by the installer on forms furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity, number and location of storage tanks, together with approval of such installation by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Installation of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be

provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch wick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by a $\frac{1}{2}$ " asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

(g) Near each boiler or furnace of a fuel oil burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand.

Rule 15. Instruction Cards.

(a) Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

(b) For manually operated systems not fully automatic the operator shall obtain a certificate of fitness from the fire commissioner.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	23
Cases filed up to June 13, 1934.....	161	Dismissed	12
Restored to Calendar.....	50	Denied	71
		Granted	0
		Granted on condition.....	98
		Appliances approved	31
		Appliances dismissed, disapproved or withdrawn....	27
		Rules approved	0
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MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	157	Requests to reopen granted.....	136
Requests to amend	50	Requests to reopen denied.....	13
Requests for modification.....	1	Requests to amend granted.....	50
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	32	Requests for modification granted.....	1
Requests for extension permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	9	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	32
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	682	Requests for extension of permit granted.....	9
Disposed of	521	Requests for extension of permit denied.....	0
Cases pending June 13, 1934.....	161	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	9
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	8
		Total.....	521

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Special Meeting, June 15, 1934, at 2 P. M.

Minutes of Regular Meeting, June 19, 1934, at 10 A. M.

Minutes of Regular Meeting, June 19, 1934, at 2 P. M.

Approved Fireline Hose Valves.

Fuel Oil Rules.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, June 25, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, July 2, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

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<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
172-34-SA.....	F.D.....	Silent Glow Oil Burner, Atmospheric Type, Appliance.
171-34-S.....	D.B.M.....	26 East 4th st. (Block 531, Lot 26), Manhattan. 8401-L.D.
170-34-A.....	D.B.M.....	23 West 19th st., 18-22 West 20th st. (Block 821, Lot 55) Manhattan. 11558-F.
169-34-A.....	D.B.M.....	45 East 17th st. (Block 846, Lot 33), Manhattan. 11822-F.
168-34-BZ.....	D.B.Q.....	41-10 Astoria ave. (Block 687, Lot 14), Astoria, Queens. Plan No. 870-34.
167-34-BZ.....	D.B.B.....	1775-1777 Coney Island ave. (Block 6749, Lot 78), Brooklyn. Applic. No. 4493-34.
166-34-SA.....	F.D.....	Lynn Power Oil Burner, Models 1, 2 and 3—Appliance.
165-34-SA.....	F.D.....	Rose Oil Heater, Appliance.
164-34-S.....	D.B.B.....	470-488 Morgan ave. (Block 2851, Lots 1, 10, 14, 38 and 39), Brooklyn. 2018-LD.
163-34-SA.....	F.D.....	Samson Magnetic Fuel Oil Pump, Appliance.
162-34-A.....	F.D.....	3114 East Tremont ave. (Block 5350, Lot 42), The Bronx. 79459-L.C.

Restored to Calendar

73-34-BZ.....	D.B.B.....	1140-1158 McDonald ave. (Block 5464, Lot 15), Brooklyn. Application 1967-34.
56-34-BZ.....	D.B.B.....	2115-2127 Neptune ave., north-east cor. of West 22nd st. (Block 6991, part of Lot 41), Brooklyn. Application 877-34
556-26-BZ.....	D.B.M.....	2418 Amsterdam ave. and 501 West 180th st., Northwest cor. (Block 2152, part of Lots 82, 83, 84 and 85), Manhattan. N.B. 60-34.
628-23-SA.....	F.D.....	Motorles Oilheat Burner, Models 7, 9, 11, 13 and 15. Appliance.
217-21-SR.....		Oil Burner Rules.

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H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
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CALL OF CLERK'S CALENDAR

MONDAY, JUNE 25, 1934, AT 2 P. M.

Building Zone Cases.

79-34-BZ	
APPLICANT—	Martin J. Ort, for Angelo Malgieri, owner.
PREMISES—	Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.
APPLICATION,	under section 21 of the building zone resolution,
TO PERMIT	in a business district the erection and maintenance of a gasoline service station.
133-34-BZ.	
APPLICANT—	Otto J. Sambach, for Bartholdi Turecamo; owner.
PREMISES—	2411-2427 Warehouse avenue, north side, 93'7-1/8" east of 24th avenue (Block No. 6927, Lot No. 7), Brooklyn.
APPLICATION,	under section 21 of the building zone resolution,
TO PERMIT	in a residence district the erection and maintenance of a fuel oil storage plant.

CALENDAR

135-34-BZ.

APPLICANT—Benjamin Chester, for Rose Karron, owner.

PREMISES—822-840 Pennsylvania avenue, west side, 195 ft. south of Linden boulevard (Block No. 4346, Lot Nos. 17 and 20), Brooklyn.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT in a residence use and also D area district the extension of an existing factory building and also, the omission of the required rear yard.

140-34-BZ.

APPLICANT—Matthew W. Del Gaudio, for Carolernesto Realty Co., Inc., owner.

PREMISES—3114 Jerome avenue, southeast corner of East 204th street (Block No. 3321, Lot No. 36), The Bronx.

APPLICATION, under section 7a of the building zone resolution,

TO PERMIT in a business district the alteration and conversion of occupancy of an existing building to a gasoline service station.

147-34-BZ.

APPLICANT—William J. Boegel, for Clifford Magerle, owner.

PREMISES—Northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

161-34-BZ.

APPLICANT—Patrick Quilty, Acting Chief Engineer, Department of Water Supply, Gas and Electricity, for City of New York, owner.

PREMISES—60-62 West 133rd street (Block No. 1730, Lot No. 63), Manhattan.

APPLICATION, under sections 7-E and 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles with a cost of more than fifty per cent (50%) of the value of the building above the foundation.

43-34-BZ.

APPLICANT—Ferdinand Savignano, for Francesco Frasca, owner.

PREMISES—6522-6524-13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the maintenance of a gasoline service station illegally installed.

JUNE 26, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 26, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 26-34-BZ—Application, January 30, 1934, under section 21 of the building zone resolution, of Larry Meltzer, applicant, on behalf of Victor Meyer, owner, to permit in a residence district the change of occupancy of an existing building to a motor vehicle repair shop; premises 601-629 Avenue R, northeast corner of Ocean parkway (Block No. 6663, Lot No. 47), Brooklyn.

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 956-27-BZ—Application of Scacchetti and Siegel, on behalf of the Nod-Away Co., Inc., owner, reopened May 29, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station, this application previously granted and the time limit expired; premises 1510-1518 Jerome avenue, east side, 105.36 ft. north of East 172nd street (Block No. 2846, part of Lot No. 6), The Bronx.

CAL. NO. 418-31-BZ—Application of McCabe and Hickey, on behalf of Gerwan Realty Co., Inc., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JUNE 26, 1934, 2 P. M.

Appeals from Administrative Orders.

270-33-A—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), The Bronx.

131-34-A—643 Brook avenue (Block No. 2361, Lot No. 34), The Bronx.

142-34-A—80-08 Rockaway Beach boulevard, north side, 40 ft. west of Beach 80th street (Block No. 551, Lot No. 3), Rockaway Beach, Borough of Queens.

150-34-A—57-69 West 19th street (Block No. 821, Lot No. 1), Manhattan.

Petitions for Variations.

144-34-S—781 East 135th street (Block No. 2587, Lot No. 1), The Bronx.

CALENDAR

139-34-S—115 Manhattan avenue (Block No. 3060, Lot No. 19), Brooklyn.

Appliances Submitted for Approval.

157-34-SA—S. T. Johnson Oil Heat Servant.

163-34-SA—Samson Magnetic Fuel Oil Pump.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 26, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 62-34-BZ—Application, March 6, 1934; denied May 15, 1934; reopened under new facts June 5, 1934, under section 21 of the building zone resolution, of Henry G. Harrington, applicant, on behalf of Dagmar Matsen Clements, owner, to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Brooklyn.

CAL. NO. 107-34-BZ—Application, April 19, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of John Bauer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

CAL. NO. 96-34-BZ—Application, April 9, 1934, under section 21 of the building zone resolution, of Kennedy & Ellner, applicants, on behalf of Milfan Building Corp., owner, to permit partly in a residence district and partly in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

CAL. NO. 375-33-BZ.—Application, December 12, 1933, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Dandern Realty Co., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), The Bronx.

CAL. NO. 39-34-BZ—Application, February 13, 1934, under section 21 of the building zone resolu-

tion, of Hlavac & Dlouhy, applicants, on behalf of Little Neck Investors, Inc., owner, to permit in a residence district the change of occupancy of an existing building to business use (restaurant); premises Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

CAL. NO. 78-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Cross Bay Theatre, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, JULY 2, 1934, AT 2 P. M.

Building Zone Cases.

121-34-BZ.

APPLICANT—Meyer Wilen, for Novick Holding Corp., owner.

PREMISES—North side of Northern boulevard, 108.78 ft. west of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

161-30-BZ.

APPLICANT—Alfred J. Parsons, for Elsie Parsons, owner.

PREMISES—Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar, April 24, 1934).

64-32-BZ.

APPLICANT—Edwin H. Snackenberg, for Anna Weiss, owner.

CALENDAR

PREMISES—Southwest corner of White Plains avenue and East 223rd street (Block No. 4824, Lot Nos. 1 and 82), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station (previously denied; reopened for reconsideration under new facts May 1, 1934).

JULY 3, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 3, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 130-34-BZ—Application, May 12, 1934, under sections 7b and 21 of the building zone resolution, of Croker Fire Prevention Corp., applicant, on behalf of John Bertorello, owner, to permit partly in a retail district and partly in a residence district, the change of occupancy of part of an existing building to business use; premises 52 West 54th street (Block No. 1269, Lot No. 70), Manhattan.

CAL. NO. 119-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Webwill Realty Corporation, applicant and owner, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises 23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens.

CAL. NO. 138-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of William E. Jackson, applicant, on behalf of Crusader Realty Corp., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station premises Northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 3, 1934, 2 P. M.

Appeals from Administrative Orders.

134-34-A—476 Sackman street (Block No. 3778, Lot No. 30), Brooklyn.

146-34-A—279-347 Freeman street (Block No. 2507, Lot Nos. 1 and 13), Brooklyn.

Petition for Variation

145-34-S—141-143 Atlantic avenue (Block No. 275, Lot Nos. 13 and 14), Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 3, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 81-34-BZ—Application, March 28, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Girolomo Staropoli, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 196-08 Hillside avenue, south side, 50.42 ft. east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

CAL. NO. 118-34-BZ—Application, May 1, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Robert Ward, owner, to permit in a business district the erection and maintenance of a gasoline service station: premises 1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Brooklyn.

CAL. NO. 47-34-BZ—Application, February 17, 1934, under sections 7a and 21 of the building zone resolution, of Crescent L. Varrone, applicant, on behalf of Abrem Cohen, owner, to permit partly in a business district and partly in a residence district, the replacement of a frame lumber shed with a concrete structure; premises East side of 95th street, 100 ft. north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

CAL. NO. 76-34-BZ—Application, March 24, 1934, under section 21 of the building zone resolution, of Arverne Bay Construction Company, applicant and owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.

CAL. NO. 100-34-BZ—Application, April 12, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Kariene Burke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

CALL OF CLERK'S CALENDAR

MONDAY, JULY 9, 1934, AT 2 P. M.

Building Zone Cases.

29-34-BZ.

APPLICANT—Norman L. Adolf, for Rose Metchik, owner.

PREMISES—Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

123-34-BZ.

APPLICANT—Michael Glick, for Harry Weissberg, owner.

PREMISES—West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

141-34-BZ.

APPLICANT—William Shary, for Socora Realty Construction Co., Inc., owner.

PREMISES—East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly.

148-34-BZ.

APPLICANT—Samuels and Samuels, for Noviak Holding Corporation and Martha Barlow, owners.

PREMISES—Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores).

JULY 10, 1934, 2 P. M.

Appeal from Administrative Order.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 10, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 56-34-BZ—Application, March 2, 1934; withdrawn June 5, 1934; reopened and restored to Calendar June 19, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joseph Cafiero, owner, to permit in a business district the erection and maintenance of a petroleum storage plant, with tanks above ground; premises 2115-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

SPECIAL MEETING

FRIDAY AFTERNOON, JUNE 15, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

RULES.

217-21-SR.

PETITIONER—American Oil Burner Association, Inc.

SUBJECT—Proposed Revision of Fuel Oil Rules.

APPEARANCES—

H. T. Tapp, H. L. Wolf, H. O. Berry, David Kaufman, Dr. A. Kaufman, Chas. H. Meigs, W. R. White, A. R. Small, F. C. Autenrieth, W. E. Walsh, R. S. Bloom, Anthony Sbare, Earl Marr, G. H. Dorr, E. C. Maxwell, R. Steinmetz, R. D. Brown, R. H. Syner, Insp. Clarence Michaels and others.

ACTION OF BOARD—Petition reopened and amended rules adopted.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO ADOPT AMENDED RULES—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

Adjourned, 5:30 p. m.

EDWARD V. BARTON, Chief Clerk.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, JUNE 19, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, June 12, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, June 12, 1934, were approved as printed in Bulletin No. 25, Vol. XIX.

BUILDING ZONE CASES.

118-34-BZ.

APPLICANT—Samuels and Samuels, for Robert Ward, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: Archie H. Samuels and Max Siegel.

For Opposition: Allan D. Emil, Robert Kunz and Robert S. Chamberlain.

ACTION OF BOARD—Laid over to July 3, 1934, at 2 p. m., for report of committee of inspection. No further argument.

418-31-BZ.

APPLICANT—McCabe and Hickey, for Gerwan Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened January 23, 1934).

PREMISES AFFECTED—1036-1060 McDonald avenue (Gravesend avenue), northwest corner of Parkville avenue (Block No. 5452, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert E. Lee.

For Opposition: Gertrude Solez.

ACTION OF BOARD—Laid over to June 26, 1934, at 10 a. m., upon request of applicants' representative.

47-34-BZ.

APPLICANT—Crescent L. Varrone, for Abrem Cohen, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the replacement of a frame lumber shed with a concrete structure.

PREMISES AFFECTED—East side of 95th street, 100 ft. north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Abraham J. Wolf and Crescent L. Varrone.

For Opposition: Harvey Johnson.

ACTION OF BOARD—Laid over to July 3, 1934, at 2 p. m., for report of committee of inspection. No further argument.

76-34-BZ.

APPLICANT—Arverne Bay Construction Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10 and 11 and part of Lot No. 1); Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward A. Richards and Paul Paulson.

For Opposition: Charles H. Fier, Jacob Weider, Margaret Nolan, Dennis W. Hyland, Jacob Weider, Alexander Rosen, Miss Pappe and William Markowitz.

ACTION OF BOARD—Laid over to July 3, 1934, at 2 p. m., for report of committee of inspection. No further argument.

77-33-BZ.

APPLICANT—Vincent J. Repaci, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPEARANCES—

For Applicant: Frank Mamfara.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(77-33-BZ)

WHEREAS, this application affecting premises southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens, was granted by the board March 13, 1934, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution of the board adopted on March 13, 1934, only so far as it relates to the obtaining of permits and completion of work, be amended, so that as amended the last clause of the resolution shall read:

"All permits shall be obtained within six months and all work shall be completed within one year from the date of this amended resolution, on condition that other than as amended herein the resolution of March 13, 1934, shall be complied with in all respects."

Adjourned, 1.00 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 19, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

100-34-BZ.

APPLICANT—Samuels & Samuels, for Kariene Burke, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Milton Samuels.

For Opposition: None.

ACTION OF BOARD—Laid over to July 3, 1934, at 2 p. m., for applicant to submit revised plans, in accordance with recommendations of report of committee, read at hearing.

624-26-BZ.

APPLICANT—Leopold Spitz, for Apa Realty Corporation, owner.

SUBJECT—Request for reopening—rehearing under section 21—re Application (decision of the commissioner of buildings) permitting in a business district the erection and maintenance of a gasoline service station—formerly heard under section 21, but granted on certain conditions under section 7f of the building zone resolution.

PREMISES AFFECTED—Southwest corner of Nassau boulevard and Kissena boulevard (Block No. 2167, Lot No. 36), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: John T. Casey.

ACTION OF BOARD—Request to reopen withdrawn—on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

73-34-BZ.

APPLICANT—Michael Levine, for Karron & Lieberman, Inc., owner.

SUBJECT—Application for reopening—reconsideration under new facts—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the erection and maintenance of a garage for more than five (5) motor vehicles and also, a gasoline service station.

PREMISES AFFECTED—1140-1158 McDonald avenue, west side, 63 ft. 5 in. south of 20th avenue (Block No. 5464, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Levine.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

56-34-BZ.

APPLICANT—Lama and Proskauer, for Joseph Cafiero, owner.

SUBJECT—Application for reopening—reconsideration—re Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a petroleum storage plant. (Previously withdrawn.)

PREMISES AFFECTED—2115-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: James Kearney.

ACTION OF BOARD—Application reopened, calendar call waived, set for hearing July 10, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

556-26-BZ.

APPLICANT—John F. Meehan, for Avoncel Realty Co., owner.

SUBJECT—Application for reopening—reconsideration—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2418 Amsterdam avenue and 501 West 180th street, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Borough of Manhattan.

APPEARANCES—

For Applicant: Daniel Mashall.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

101-34-BZ.

APPLICANT—Andrew A. Marjey, for P. M. H. Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.

APPEARANCES—

For Applicant: Andrew A. Marjey.

For Opposition: E. J. Hogarty, Augustus M. Jacobs and Fred Kuhlmann.

MINUTES

ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(101-34-BZ)

WHEREAS, Andrew A. Marjey, for P. M. H. Holding Corp., owner, filed April 13, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: northeast corner of Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 19, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business district; Utopia parkway is in a residence district; 189th street is in a residence district and 42nd avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 6, 1934, re Plan No. 339-1934, reads.

"The erection of a gasoline station in a business district is contrary to article 2, section 4, subdivision 46 of the BZR.

"Not further examined."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on Northern boulevard and 100 ft. on Utopia parkway; upon which it is proposed to erect a one-story fireproof structure, approximately 70 ft. by 25 ft. in area to be occupied as greasing, servicing and office; proposes also to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 101-34-BZ.

Premises—Northeast corner Northern boulevard and Utopia parkway (Block No. 5364, Lot No. 1), Auburndale, Borough of Queens.

This is an application for a zoning variance under section 21 for a gasoline service station at the northeast corner of Northern boulevard and Utopia parkway, Borough of Queens. The frontage along Northern boulevard, both sides, is zoned for business use and along the side streets including Utopia parkway for residence use. Both Northern boulevard and the parkway are 100 ft. in width. At present Utopia parkway does not cross Northern boulevard but its continuation has been established for future construction.

This section is a residential community. There are several neighborhood stores on the south side of Northern boulevard. To the north there is a station of the Long Island Railroad and the district there adjoining the railroad is zoned for unrestricted use and there is a gasoline station at that point only a few hundred feet away.

The committee of the board inspected this site under appeal and the general area on June 7, 1934. While the plan submitted shows an attractive building and it was proposed to landscape the grounds surrounding the station, nevertheless the committee agrees that the objectors are justified, in view of the high grade development surrounding this site, in opposing this application.

It appears that due to the widening of the parkway the owner had received a substantial sum for the land taken so that the net cost of the present plot is not excessive. It was stated that the property was purchased for an apartment house development but that this was abandoned because of the impossibility of obtaining a loan.

In the opinion of the committee no hardship has been proven to permit the board to exercise its discretion. Even if some degree of hardship had been shown, the committee would still recommend denial as in its opinion the establishment of a gasoline station at this corner, while perhaps of financial benefit to the owner of the plot, would seriously depreciate the values of the surrounding property and cause far more hardship to those owners than the corresponding financial advantage to this owner. Under normal conditions the corner would readily be improved with a conforming development in keeping with the general character of the section. In the opinion of the committee, a gasoline station is not in keeping with the general residential uses of this area and the committee recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate the basis of this application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

459-32-BZ.

APPLICANT—Mildred I. Hefter, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station, and also a motor vehicle repair shop.

PREMISES AFFECTED—Southeast corner of Merrick boulevard (road) and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Max Hefter.

For Opposition: Jerome C. McDonough and H. Fuldner, Jr.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(459-32-BZ)

WHEREAS, Mildred I. Hefter, owner, filed August 19, 1932; withdrawn November 15, 1932; reopened April 10, 1934; an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station and also a motor vehicle repair shop; premises: southeast corner of Merrick boulevard (road) and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 19, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

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WHEREAS, the use district maps accompanying the building zone resolution show that Merrick boulevard is in a business district; 111th avenue is in a residence district; and Hazelton court is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 8, 1934, re Plan No. 164, reads:

1. Objection to application as amended April 18, 1934, the creation of a gasoline station and the erection of a building for use as a repair shop for motor vehicles within a business district is contrary to section 4, subdivision A-46 and subdivision A-29 of the zone resolution.

"Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. on Merrick boulevard and 91 ft. on 111th avenue, upon which is located a 1½-story frame dwelling (which is to remain). There is also located on the plot a frame garage (14 ft. by 14 ft.) which is to remain. It is proposed to erect on the Merrick road front of the a plot a one-story structure 38 ft. by 20 ft. in area to be used as grease pits, auto repair shop and office; proposes also to install the necessary tanks and pumps for a gasoline station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 459-32-BZ.

Premises— Southeast corner Merrick boulevard and 111th avenue (Block No. 1281, Lot No. 39), Jamaica, Borough of Queens.

Under this application, a zoning variance is requested to permit the installation of a gasoline service station and repair shop on a plot at the southeast corner of Merrick boulevard and 111th avenue, also known as Remsen street, in an area zoned for business.

This plot has a frontage on Merrick boulevard of approximately 80 ft. and there is now located thereon a 1½-story frame bungalow, located relatively close to the street line of Merrick boulevard, which is occupied by the owners and which they propose to retain. The proposal is to install the gasoline station and the building for repair shop, greasing and office on the balance of the frontage. There was a previous application filed about two years ago for similar variances which was withdrawn, without argument, at the hearing at which there were many objectors, and no consents. The sentiment of the neighborhood has apparently materially changed since the prior hearing before the board inasmuch as there are many consents now on file and few objectors.

Merrick boulevard is a heavily trafficked thoroughfare. There are stores and private residences along Merrick boulevard frontage and also considerable vacant land. There is a gasoline station in existence to the north approximately 200 ft. from this site under appeal, which station presumably was in existence prior to the prohibition against gas stations in business districts. East and west of Merrick boulevard, the side streets are very well developed with private homes.

The committee inspected this site on June 7, 1934, and while they recognize the personal hardship of the owners, they fail to find that any hardship has been proven of the type required in the zoning resolution to permit the board to exercise their discretion in the granting of variances. While this owner would undoubtedly be benefited by the proposed gas station, it is apparent that additional gas stations are not needed along this section of Merrick boulevard and it ap-

peared to the committee that this section would not be benefited by the introduction of this non-conforming use at this location.

The Committee recommends denial.

(Signed) HARRIS H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

CHARLES M. BLUM,

Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate the basis of this application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

993-26-BZ.

APPLICANT—Jacob A. Freedman, for Leo Schumer, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station. (Reopened March 27, 1934.)

PREMISES AFFECTED—5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob A. Freedman.

For Opposition: J. N. Butterly, Rev. P. E. Kela-

her, W. B. Linder and J. P. Anderson.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(993-26-BZ)

WHEREAS, Jacob A. Freedman, for Leo Schumer, owner, filed March 14, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, a similar application under this calendar number affecting premises 5911-5923 22nd avenue (Bay parkway), had been denied by the board April 12, 1927, and the case was reopened by vote of the board March 27, 1934, on the basis of new facts, one of which was the elimination from consideration of the 20 ft. portion of lot on the corner; and

WHEREAS, a public hearing was held on this reopened application by the Board of Standards and Appeals, at its regular meeting, June 19, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 22nd avenue is in a business district; 60th street is in a residence district and 59th street is in a residence and unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 9, 1934, re Applie. No. 2033-1934, reads:

"Proposed gasoline service station in a business district is contrary to article 2, section 4, subdivision 46 of the building zone resolution."

"Not further considered."

and

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WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 80 ft.—upon which it is proposed to erect a one-story structure, 62 ft. by 20 ft. in area, to be used as auto laundry, accessory store and grease pits and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 993-26-BZ.

Premises—5911-5921 22nd avenue (Bay parkway), (Block No. 6548, part of Lot No. 1), Borough of Brooklyn.

This is an application for a zoning variance to permit a gasoline station at the corner of 22nd avenue known as Bay parkway and 60th street in an area zoned for business.

Because of the existence of a public school on 60th street within this block, the applicant has reduced the area on which the proposed station is desired, to a portion of the entire plot, 100 ft. in frontage and 80 ft. in depth, leaving an area 20 ft. by 100 on the corner and a 20-ft. plot between the proposed gasoline station and the adjoining residential area to obviate the prohibition against the erection of a gasoline station facing on a block on which there is a public school and to obviate the objections of the residential owners along 60th street.

There was a previous application for a gasoline service station on premises 5911-5923 Bay parkway, under section 21, but the premises at that time was in a residential district and the board denied the application. The board reopened the case for rehearing because applicant submitted the new facts that the zone had been changed from residence to business and the use of No. 5923 Bay parkway was eliminated from the proposed gasoline service area.

The property on the balance of the block frontage is now vacant but has been leased up to recently as a sales place for used auto parts. The applicant claims it also has been used for auto repairing; but, whether that was true or not while the selling of used parts was carried on, the fact remains that the plot is now vacant. There have, however, been filed with the superintendent of buildings plans for a two-story building for this plot which is at the corner of 59th street and 22nd avenue, and proposed building is to contain stores on the ground floor and living apartments above. The design of the proposed building is attractive and, in the opinion of the committee which inspected the area on June 7, 1934, a suitable and fitting development for that plot, being somewhat similar to proposed development for the southwest corner of Bay parkway and 60th street, where the business use was denied by the board under Cal. 586-27-BZ because the premises at that time were zoned for residential use, which decision was affirmed by the Court of Appeals. If the owners of the site under appeal would build at this time such a building as is proposed for the corner of 59th street and 22nd avenue and as was proposed in 1927 under application 586-27-BZ, which they could legally do now that the zoning has been changed to business, it would in the opinion of the committee be a proper and adequate development.

On the opposite corner of 59th street is a gasoline selling station which was granted by the board for use in conjunction with an adjoining garage which is located in an unrestricted district. Across Bay parkway on the northwest corner is a recently erected attractive one-story automobile sales store. Across Bay parkway opposite the site under appeal are private residences and, except for a few vacant plots, the

general appearance of the surrounding area is of a residential character. There is a church at 61st street and Bay parkway and this church also owns the entire block front on the east side of Bay parkway between 60th and 61st streets, for a distance easterly of 320 ft., and it was stated at the hearing that plans were under way for the development of this property for a school and a convent, although the construction is temporarily in abeyance owing to financial conditions. On the southeast corner of Bay parkway and 61st street is a gasoline station, apparently in existence prior to the prohibition against gas stations in business districts.

There are many objections filed against this proposed gasoline station mainly from the buildings within the residential area along 60th street and the church for the property that it owns on both sides of Bay parkway, from owners on the west side of Bay parkway opposite the site in question, and also from the owners of the gas station and automobile showroom, and from others within the business district.

It has been ascertained, as claimed at the hearing by one of the objectors, that Bay parkway is a park thoroughfare maintained under the jurisdiction of the commissioner of parks.

The committee is of the opinion that, notwithstanding the statements made at the hearing that this property cannot be developed with a conforming use, it would be possible to do so profitably as is evidenced by the recent construction of a showroom building on the opposite corner and the proposed building adjacent.

While the applicant proposes to leave a space of 20 ft. to separate the proposed gasoline station from 60th street, it is apparent that if this area were not left out of the proposed gasoline area, the prohibition under section 21 against gasoline stations in blocks on which schools are located would preclude the board from consideration of the application. In view of the relative nearness of this school together with the proposed development of the westerly end of the block for a school and convent, the committee is of the opinion that this gasoline station should not be located at this point, even though technically a distance of 20 ft. is left unbuilt upon. In view of the two existing gas stations, one on the block to the south and one on the block to the north, it can hardly be claimed that an additional gas station on this site on Bay parkway can be needed.

The committee do not find that the points raised by the applicant as constituting hardship are of sufficient weight and importance to justify the granting of this variance and are of the opinion that this plot can and should be improved with conforming use and that it would not be in the interest of public health, safety and general welfare to grant this variance for the proposed use at this location, and recommend that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied, and the board deemed that applicant has failed to substantiate the basis of this application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of Buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

35-34-BZ.

APPLICANT—Samuel Roth, for Fannie Levy, owner.
SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a residence

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district and partly in a business district, the erection and maintenance of a motor vehicle repair shop, and also a gasoline service station.

PREMISES AFFECTED—74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Roth.

For Opposition: Leonard W. Goldsmith.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(35-34-BZ)

WHEREAS, Samuel Roth, for Fannie Levy, owner, filed May 8, 1934, an application under the building zone resolution to permit partly in a residence district and partly in a business district, the erection and maintenance of a motor vehicle repair shop, and also a gasoline service station; premises: 74 Wadsworth avenue, northwest corner of West 176th street (Block No. 2145, Lot No. 54), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 19, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Wadsworth avenue is in a residence district; Broadway is in a business district; St. Nicholas avenue is in a business district; West 176th street is in a residence district and West 177th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 12, 1934, re N. B. Appli. No. 120-33, reads.

"1. Building located partly in a residence district and partly in a business district to be used for auto repair shop and gasoline oil station, is unlawful, zone resolution sections 3 and 4."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 24 ft. 11 in. on Wadsworth avenue and 100 ft. on West 176th street. Upon the westerly portion of the plot it is proposed to erect a one-story fireproof building 31 ft. 8 in. by 24 ft. 11 in. in area to be used as office and motor vehicle repair shop; the remainder of the plot is to be used as a gasoline service station. A very small area (of the west part of the plot) is in the business district; the remainder is in the residence district; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 35-34-BZ.

Premises—74 Wadsworth avenue, northwest corner West 176th street (Block No. 2145, Lot No. 54), Borough of Manhattan.

This is an application for a zoning variance to permit the erection and maintenance of a motor vehicle repair shop and a gasoline service station on a small plot at the northwest corner of Wadsworth avenue and West 176th street, Borough of Manhattan. The lot has a frontage of approximately 25 ft. on Wadsworth avenue and 100 ft. on West 176th street and is mainly in a district zoned for residential use, but a small part toward the west is within a business area.

According to the plans, they propose to erect a small one-story repair shop with an office attached and to use the property at the corner with an area of approx-

imately 25 ft. by 60 ft. for a gas selling station. While this property is within the residential district, there was a garage erected on Wadsworth avenue adjoining these premises prior to the passage of the zoning resolution. Across on 176th street is a theatre facing on Broadway but extending into the residential district to Wadsworth avenue under a variance granted by the board under Cal. No. 245-28-BZ. There are also garages on this block facing Broadway, which were granted in 1923 and 1926 by the board. Other than these non-conforming uses, the general development of Wadsworth avenue is residential use, consisting of large apartment houses and the theatre building opposite is of a monumental design fitting in well with the surrounding residential conditions.

The committee of the board inspected these premises and the surrounding section on June 7, 1934, and are of the opinion that the lot in question is too small for use as a gasoline service station and that if one were permitted it would be impossible to control the traffic from undue use of the sidewalks to the peril of pedestrians. While it may be unfortunate for this owner that the non-conforming garage exists on the adjacent lot, the committee was of the opinion that public welfare and public safety would not be served by permitting a gasoline station and repair shop to be constructed at this location and failed to find that convincing proof of hardship had been submitted. The committee is of the opinion that a use can be constructed that will be conforming for a residential area although recognizing that the plot, owing to its small area, is not adaptable for multiple family dwelling.

The committee recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied, and the board deemed that applicant had failed to substantiate the basis of this application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

17-33-BZ.

APPLICANT—Anton Pirner, for Raphael Zampino, present owner.

SUBJECT—Application for reopening—amendment—Application (re decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1314-1338 Sedgwick avenue, southwest corner of West 169th street (Block No. 2530, Lot No. 39), Borough of The Bronx.

APPEARANCES—

For Applicant: Anton Pirner.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

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THE RESOLUTION—

(17-33-BZ)

WHEREAS, this application affecting premises 1314-1338 Sedgwick avenue, southwest corner of West 169th street (Block No. 2530, Lot No. 39), Borough of The Bronx, was granted by the board May 2, 1933, on certain conditions, and plans approved July 18, 1933, and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on May 2, 1933, and resolution adopted July 18, 1933, approving plans, be and they hereby are *amended*, and that the plans marked "received June 12, 1934" be and they hereby are *approved*, as complying with the requirements of the resolution, permitting the buildings to be located as shown toward the street line of Sedgwick avenue and also permitting the construction of a masonry wall, as indicated, because of the existence of rock ledge and enlarging the three permitted openings in the street building line so that each opening is not over 25 ft. in width, with curb cuts opposite, not over 30 ft. in width *on condition* that other than as amended, the resolution adopted May 2, 1933, shall be complied with in all respects; and that all permits shall be obtained within three months and all work completed within six months from the date of this action.

APPEALS FROM ADMINISTRATIVE ORDERS.

134-34-A.

APPELLANT—Atlas Carbonic Gas & Service Corp., for Hygrade Soda Fountain Mfg. Corp., owner.
SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—476 Sackman street (Block No. 3778, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Appellant: M. John Silver.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to July 3, 1934, at 2 p. m., for further consideration.

146-34-A.

APPELLANT—Colonial Beacon Oil Co., Inc., owner.
SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—279-347 Freeman street (Block No. 2507, Lot Nos. 1 and 13), Borough of Brooklyn.

APPEARANCES—

For Appellant: Joseph B. Lynch.

For Administration: None.

ACTION OF BOARD—Laid over to July 3, 1934, at 2 p. m., for appellant's representative to amend plans.

149-34-A.

APPELLANT—Edward L. Barton and M. Thomas Ketz, for Nelson Bros. Fuel Corp., lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—579-583 Smith street, northeast corner of Creamer street (Block No. 487, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Edward L. Barton and M. Thomas Ketz.

For Administration: None.

ACTION OF BOARD—Appeal withdrawn without prejudice.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4
Negative 0
Absent 0

129-34-A.

APPELLANT—Frigidaire Corporation, for Hollywood Restaurant, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1600 Broadway (Block No. 1020, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Appellant: Robert Bryan.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(129-34-A)

WHEREAS, Frigidaire Corporation, for Hollywood Restaurant, owner, filed May 15, 1934, an appeal from an order of the fire commissioner affecting premises 1600 Broadway (Block No. 1020, Lot No. 29), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated April 26, 1934, re Order No. 3272-LC, reads:

"You are hereby ordered and required to forthwith:

"1. Discontinue and remove the direct method of air conditioning in the main lobby and stairway, as per section 219 (f)-1, of the code of ordinances.

"2. Discontinue and remove all piping containing F-12 refrigerant between the basement and the second floor as per section 219(b) of the code of ordinances."

and

WHEREAS, the building is fireproof, 10 stories in height, 113 ft. 8¾ in. by 121 ft. ½ in. in area; OCCUPIED: cellar, boiler and locker rooms, 4 persons; 1st story, stores, bank, 12 persons; 2nd story, kitchen, restaurant, 600 persons; upper stories, offices and showrooms, 20 persons per story; located within a retail district; and

WHEREAS, the appellant claims there are two cooling systems having a common refrigerating machinery room in the cellar, containing one 3 H.P. compressor, 15 lbs. of F-12 refrigerant, with brass piping leading to coil in evaporating compartment on 1st story over revolving door-entrance to Hollywood restaurant, a 1/6 H.P. motor circulates the cooled air into the hall; also a battery of seven 10 H.P. compressors, each having 45 lbs. of F-12 refrigerant with copper tubing leading to three coils, all (21) coils are enclosed in a metal evaporating compartment suspended from the kitchen ceiling on 2nd story, a 15 H.P. motor circulates the cooled air into the restaurant room through openings in the ceiling; the rising lines of refrigerant (120 lbs. working pressure, 150 lbs. automatic stop and 180 lbs. safety valve) extending to 2nd story are wrapped with insulating material within a metal enclosure; the appellant contends the present air conditioning installation is non-hazardous, the refrigerant is non-irritant, and the order is therefore technical; however, the appellant proposes to provide an additional enclosure around the rising lines of refrigerant by gypsum block construction.

Resolved, that the order of the fire commissioner, No. 3272-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the expan-

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sion coils shall be completely removed from the entrance hall; that the entrance hall shall be refrigerated by an indirect system only; that all refrigerating risers passing through the entrance hall shall be enclosed in hermetically sealed ducts and ventilated through the basement refrigerating system to the outer air; that other than as modified herein, the system shall comply in all respects with the requirements of the code of ordinances.

977-23-A.

APPELLANT—International Fireworks Co., for Coney Island Chamber of Commerce.

SUBJECT—Application for reopening—amendment—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—Opposite Henderson's Walk, 1,000 ft. off shore, Coney Island, Borough of Brooklyn.

APPEARANCES—

For Appellant: Charles A. Rodgers and George F. Kistler.

For Administration: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(977-23-A)

WHEREAS, this appeal affecting the display of fireworks on a barge anchored 1,000 ft. off shore, opposite Henderson's walk, Coney Island, Borough of Brooklyn, was granted by the board April 25, 1924, amended July 19, 1927, on certain conditions, and new appellant, The International Fire Works Co., requests an amendment of the resolution; and

WHEREAS, this appeal was originally granted to the Paine's Fire Works, Inc., amended for the American Fireworks Co., both acting on behalf of the Coney Island Chamber of Commerce and on whose behalf the present appellant acts; and

WHEREAS, the order of the fire commissioner, No. 65000-LC, dated June 12, 1934, reads:

"Your application, dated June 7, 1934, for permission to display fireworks to be fired from a barge anchored off Coney Island, Borough of Brooklyn, is denied for reason that such fireworks displays are against public safety. Section 95, subdivision 1, also section 10, chapter 10."

Resolved, that the Order No. 65000-LC of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the fireworks display shall be from a barge leased by the Coney Island Chamber of Commerce and anchored fore and aft, opposite Steeplechase Park, Coney Island, at a distance of at least 1,000 ft. off shore from the low water mark; that the fireworks shall be discharged from iron mortars securely fastened to the deck of the barge and in a seaward direction only; that the operation and display shall be under the supervision of a qualified pyro-technist at all times, holding a certificate of fitness issued by the fire commissioner; that the storing and handling of fireworks shall at all times be in accordance with the requirements of the bureau of combustibles of the fire department; that there shall be maintained on the deck of the barge at all times two portable 40-gallon fire extinguishers; that this variance is for the months of July, August and September during 1934 and for a 20-minute period between the hours of 9 p. m. and 10 p. m. on Tuesday evenings only during these months.

APPLIANCES SUBMITTED FOR APPROVAL.

628-23-SA.

PETITIONER—A. G. Kaufman, for Motorles Oilheat Systems, owner.

SUBJECT—Powerlight Oilheat Burner—Application for reopening—re change of name.

APPEARANCES—

For Petitioner: A. G. Kaufman.

ACTION OF BOARD—Petition reopened, placed on reserve calendar, referred to engineer of the board and bureau of combustibles, fire department, for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

Adjourned, 4:30 p. m.

EDWARD V. BARTON, Chief Clerk.

APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

RULES

OIL BURNER RULES

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals
June 15, 1934

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

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STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 10 pounds per square inch without permanent deformation, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material, and where the tank is 48 inches or less in diameter the shell shall have a thickness of not less than $\frac{3}{16}$ of an inch and where the tank is over 48 inches in diameter the shell shall have a thickness of not less than $\frac{1}{4}$ of an inch.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

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Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground.

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh, when necessary to prevent floating, tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity or not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

(c) Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

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less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or private right of way.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. Where there is a storage system volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for approval for permit shall be made by the installer on forms furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity, number and location of storage tanks, together with approval of such installation by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Installation of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be

provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch wick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by a $\frac{1}{2}$ " asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

(g) Near each boiler or furnace of a fuel oil burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand.

Rule 15. Instruction Cards.

(a) Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

(b) For manually operated systems not fully automatic the operator shall obtain a certificate of fitness from the fire commissioner.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	24
Cases filed up to June 20, 1934.....	172	Dismissed	12
Restored to Calendar.....	55	Denied	75
		Granted	0
		Granted on condition.....	99
		Appliances approved	31
		Appliances dismissed, disapproved or withdrawn....	27
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	166	Requests to reopen granted.....	144
Requests to amend.....	52	Requests to reopen denied.....	13
Requests for modification.....	1	Requests to amend granted.....	52
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	33	Requests for modification granted.....	1
Requests for extension permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	9	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	33
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	710	Requests for extension of permit granted.....	9
Disposed of	540	Requests for extension of permit denied.....	0
Cases pending June 20, 1934.....	170	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	9
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	9
		Total.....	540

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 27

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, June 26, 1934, at 2 P. M.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, July 2, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, July 9, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

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185-34-BZ.....	D.B.Q.....	6907-6921 Broadway (Block 1269, Lots 70 and 71), Jackson Heights, Queens, N. B. 995-34
184-34-SA.....	F.D.....	Vapofier Oil Burner, Appliance
183-34-SA.....	D.B.....	Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet, Appliance
182-34-SA.....	F.D.....	"Genuine Detroit" Anti-Syphon Valve, Model CRC-100, Types V and S, Appliance
181-34-SA.....	F.D.....	"Genuine Detroit" Constant Level Valves, Models CRC-160, CRC-180, CRC-150, CRC-350, CRC-550, Types A, D, H, K, L, M, S, S-1, S-2, V-2-3-4, Appliance
180-34-BZ.....	D.B.Q.....	S. W. cor. 123rd ave. and Sutphin blvd. (Block 2831, Lot 71), Jamaica, Queens, Plan No. 364-34
179-34-BZ.....	D.B Bx....	36 West 167th st., S. W. cor. Anderson ave. (Block 2509, Lot 56), The Bronx, N. B. 24-34
178-34-A.....	F.D.....	206 Front st. (Block 96, Lot 7), Manhattan, Decision
177-34-BZ.....	D.B.Q.....	52-02 Flushing ave. and 52-15 Metropolitan ave. (Block 2632, Lot 12), Maspeth, Queens, Plan No. 3866-34
176-34-A.....	D.B.M....	509-519 Eighth ave., and 302-304 West 36th st., S. W. cor. (Block 759, Lot 45), Man., 10970-F
175-34-A.....	D.B.B....	195-211 15th st. and 544-550 5th ave., N. W. cor. (Block 1041, Lots 42, 43, 45, 50 and 52), Brooklyn, 1435-LF
174-34-S.....	D.B.M....	640 Broadway and 64-66 Bleecker st., S. E. cor. (Block 522, Lot 14), Manhattan, Applic. 977-34
173-34-A.....	F.D.....	East Side Whitlock ave., 200' South of Westchester ave. (Block 2759, Lot 136), The Bronx, 75189-LC

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F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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Concrete Flat Slabs, Rules.....	June	6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	Jan.	9, 1934—Vol. 19 No. 2
Elevator Rules.....	July	3, 1934—Vol. 19 No. 27.
Exit Rules (Revolving Doors).....	Nov.	14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov.	14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept.	26, 1933—Vol. 18 No. 39
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Fire Retarding Rules for Garages, etc.	Nov.	28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of.....	Apr.	10, 1934—Vol. 19 No. 15
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Fuel Oil Pumps.....	July	3, 1934—Vol. 19 No. 27.
Paint, Varnish and Lacquer Spray-ing Equipment	Apr.	17, 1934—Vol. 19 No. 16

COURT DECISION.

Commencing with the issue of the Bulletin of October 10, 1933, all court decisions involving cases decided by the Board since January 1, 1933, will be published in this column as soon as reports are available

Matter of Young Women's Hebrew Assn. &c. (Board of Standards and Appeals of City of N. Y. et al and Gelkon Realty Corp.)—Mr. Justice McCook—Board sustained. Nov. 8, 1933, Board granted application for gas station in business district, under section 21. Cal. No. 249-33-BZ; Premises 1312-14 5th Ave. N. W. cor. W. 110th St., Manhattan. Appellate Division affirmed order (N. Y. L. J. June 22, 1934).

CALL OF CLERK'S CALENDAR

MONDAY, JULY 2, 1934, AT 2 P. M.

Building Zone Cases.

121-34-BZ.
 APPLICANT—Meyer Wilen, for Novick Holding Corp., owner.
 PREMISES—North side of Northern boulevard, 108.78 ft. west of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CALENDAR

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

161-30-BZ.

APPLICANT—Alfred J. Parsons, for Elsie Parsons, owner.

PREMISES—Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar, April 24, 1934).

64-32-BZ.

APPLICANT—Edwin H. Snackenberg, for Anna Weiss, owner.

PREMISES—Southwest corner of White Plains avenue and East 223rd street (Block No. 4824, Lot Nos. 1 and 82), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station (previously denied; reopened for reconsideration under new facts May 1, 1934).

JULY 3, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 3, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 130-34-BZ—Application, May 12, 1934, under sections 7b and 21 of the building zone resolution, of Croker Fire Prevention Corp., applicant, on behalf of John Bertorello, owner, to permit partly in a retail district and partly in a residence district, the change of occupancy of part of an existing building to business use; premises 52 West 54th street (Block No. 1269, Lot No. 70), Manhattan.

CAL. NO. 119-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Webwill Realty Corporation, applicant and owner, to permit in a business

district the change of occupancy of an existing building to a motor vehicle repair shop; premises 23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens.

CAL. NO. 138-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of William E. Jackson, applicant, on behalf of Crusader Realty Corp., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station premises Northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 3, 1934, 2 P. M.

Appeals from Administrative Orders.

134-34-A—476 Sackman street (Block No. 3778, Lot No. 30), Brooklyn.

146-34-A—279-347 Freeman street (Block No. 2507, Lot Nos. 1 and 13), Brooklyn.

162-34-A—3114 East Tremont avenue (Block No. 5350, Lot No. 42), The Bronx.

178-34-A—206 Front street (Block No. 96, Lot No. 7), Manhattan.

Petitions for Variations.

145-34-S—141-143 Atlantic avenue (Block No. 275, Lot Nos. 13 and 14), Brooklyn.

164-34-S—470-488 Morgan avenue (Block No. 2851, Lot Nos. 1, 10, 14, 38 and 39), Brooklyn.

174-34-S—64-66 Bleecker street and 640 Broadway, southeast corner (Block No. 522, Lot No. 14), Manhattan.

Appliances Submitted for Approval.

165-34-SA—Rose Oil Heater.

166-34-SA—Lynn Power Oil Burner, Models 1, 2 and 3.

172-34-SA—Silent Glow Oil Burner, Atmospheric Type.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 3, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 81-34-BZ—Application, March 28, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Girolomo Staropoli, owner, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 196-08 Hillside avenue, south side, 50.42 ft. east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens.

CALENDAR

CAL. NO. 118-34-BZ—Application, May 1, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Robert Ward, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Brooklyn.

CAL. NO. 47-34-BZ—Application, February 17, 1934, under sections 7a and 21 of the building zone resolution, of Crescent L. Varrone, applicant, on behalf of Abrem Cohen, owner, to permit partly in a business district and partly in a residence district, the replacement of a frame lumber shed with a concrete structure; premises East side of 95th street, 100 ft. north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

CAL. NO. 76-34-BZ—Application, March 24, 1934, under section 21 of the building zone resolution, of Arverne Bay Construction Company, applicant and owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.

CAL. NO. 100-34-BZ—Application, April 12, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Kariene Burke, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Jamaica avenue and 138th place (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 418-31-BZ—Application of McCabe and Hickey, on behalf of Gerwan Realty Co., Inc., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Brooklyn.

CAL. NO. 107-34-BZ—Application, April 19, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of John Bauer Realty Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR MONDAY, JULY 9, 1934, AT 2 P. M.

Building Zone Cases.

29-34-BZ.

APPLICANT—Norman L. Adolf, for Rose Metchik, owner.

PREMISES—Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

123-34-BZ.

APPLICANT—Michael Glick, for Harry Weissberg, owner.

PREMISES—West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

141-34-BZ.

APPLICANT—William Shary, for Socora Realty Construction Co., Inc., owner.

PREMISES—East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly.

148-34-BZ.

APPLICANT—Samuels and Samuels, for Noviak Holding Corporation and Martha Barlow, owners.

PREMISES—Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores).

JULY 10, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 10, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 43-34-BZ—Application, February 14, 1934, under section 21 of the building zone resolution, of Ferdinand Savignano, applicant, on behalf of Francesco Frasca, owner, to permit in a business district the maintenance of a gasoline service station illegally installed; premises 6522-6524 13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Brooklyn.

CALENDAR

CAL. NO. 133-34-BZ—Application, May 17, 1934, under section 21 of the building zone resolution, of Otto J. Sambach, applicant, on behalf of Bartholdi Turecamo, owner, to permit in a residence district the erection and maintenance of a fuel oil storage plant; premises 2411-2427 Warehouse avenue, north side, 93 ft. 7½ in. east of 24th avenue (Block No. 6927, Lot No. 7), Brooklyn.

CAL. NO. 135-34-BZ—Application, May 19, 1934, under sections 7a and 21 of the building zone resolution, of Benjamin Chester, applicant, on behalf of Rose Karron, owner, to permit in a residence use and also "D" area district the extension of an existing factory building and also, the omission of the required rear yard; premises 822-840 Pennsylvania avenue, west side, 195 ft. south of Linden boulevard (Block No. 4346, Lot Nos. 17 and 20), Brooklyn.

CAL. NO. 140-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of Matthew W. DelGaudio, applicant, on behalf of Carolernesto Realty Co., Inc., owner, to permit in a business district the alteration and conversion of occupancy of an existing building to a gasoline service station; premises 3114 Jerome avenue, southeast corner of East 204th street (Block No. 3321, Lot No. 36), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

CAL. NO. 161-34-BZ—Application, June 13, 1934, under sections 7e and 21 of the building zone resolution, of Patrick Quilty, Acting Chief Engineer, Department of Water Supply, Gas and Electricity, applicant, on behalf of City of New York, owner, to permit in a business district the change of occupancy of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles with a cost of more than fifty per cent (50%) of the value of the building above the foundation; premises 60-62 West 133rd street (Block No. 1730, Lot No. 63), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1934, 2 P. M.

Appeals from Administrative Orders.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

131-34-A—643 Brook avenue (Block No. 2361, Lot No. 34), The Bronx.

142-34-A—80-08 Rockaway Beach boulevard, north side, 40 ft. west of Beach 80th street (Block No. 551, Lot No. 3), Rockaway Beach, Borough of Queens.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 10, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 56-34-BZ—Application, March 2, 1934; withdrawn June 5, 1934; reopened and restored to Calendar June 19, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joseph Cafiero, owner, to permit in a business district the erection and maintenance of a petroleum storage plant, with tanks above ground; premises 2115-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Brooklyn.

CAL. NO. 78-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Cross Bay Theatre, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, JULY 16, 1934. AT 2 P. M.

Building Zone Cases.

79-34-BZ

APPLICANT—Martin J. Ort, for Angelo Malgieri, owner.

PREMISES—Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

137-34-BZ

APPLICANT—Louis Isquith, for Estate of Frank Wetzel, owner.

PREMISES—South side of Queens boulevard, 24 ft. east 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

CALENDAR

153-34-BZ

APPLICANT—Rhodie & Belous, for Bertha Gerton, owner.

PREMISES—Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

556-26-BZ

APPLICANT—John F. Meehan, for Avoncel Realty Co., owner.

PREMISES—501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board (reopened June 19, 1934).

SEPTEMBER 18, 1934. 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 18, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

HARRIS H. MURDOCK, *Chairman*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, JUNE 26, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the Special Meeting of the Board held on Friday afternoon, June 15, 1934; the minutes of the regular meeting of the Board held on Tuesday morning, June 19, 1934, and the minutes of the regular meeting held on Tuesday afternoon, June 19, 1934, and the corrected Oil Burner Rules, were approved as printed in Bulletin No. 26, Vol. XIX.

BUILDING ZONE CASES.

644-20-BZ.

APPLICANT—Samuel Rosenblum, for H. P. C. Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station (reopened April 24, 1934).

PREMISES AFFECTED—1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition—None.

ACTION OF BOARD—Laid over to September 18, 1934, at 2 P. M., for further consideration.

418-31-BZ.

APPLICANT—McCabe and Hickey, for Gerwan Realty Co., Inc., owner.

SUBJECT—Applicant (re decision of the commissioner of

buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened January 23, 1934).

PREMISES AFFECTED—1036-1060 McDonald avenue (Gravesend avenue) northwest corner of Parkville avenue (Block No. 5452, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo J. Hickey, Robert E. Lee, William C. Morrissey.

For Opposition: Gertrude Solez.

ACTION OF BOARD—Laid over to July 3, 1934, at 2 P. M., for applicant to file new plan showing correct dimensions.

241-33-BZ.

APPLICANT—Lama and Proskauer, for Fourth Avenue and 33rd Street Realty, Inc., present owner.

SUBJECT—Request for reopening—modification—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station and automobile salesroom.

PREMISES AFFECTED—875-881 Fourth avenue, northeast corner of 33rd street (Block No. 681, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Nathan Rubin.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

MINUTES

26-34-BZ.

APPLICANT—Larry Meltzer, for Victor Meyer, owner.
SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the change of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—601-629 Avenue R, northeast corner of Ocean Parkway (Block No. 6663, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer, Edward Goode, Victor Meyer.

For Opposition: Charles L. Meckenberg, Warren Bloom, L. C. Squire, O. E. Gooldy, David Advocate, Charles G. Murphy.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(26-34-BZ)

WHEREAS, Larry Meltzer, for Victor Meyer, owner, filed January 30, 1934, an application under the building zone resolution to permit in a residence district the change of occupancy of an existing building to a motor vehicle repair shop; premises: 601-629 Avenue R, northeast corner of Ocean parkway (Block No. 6663, Lot No. 47), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 26, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Avenue R is a residence and business district; Ocean parkway is in a residence district; Kings highway is in a business district and East 7th street is in a residence district; and,

WHEREAS, the decision of the commissioner of buildings, rendered January 15, 1934, re Application No. 302-1934, reads:

“Proposed change of occupancy from an automobile show-room to a motor vehicle repair shop to be located in a residential district is contrary to article 2, section 3 of the zone resolution.”

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 245 ft. 3 in. on Avenue R and 54 ft. on Ocean parkway. On the easterly portion of the plot there is located a one-story frame structure 19 ft. 6 in. by 40 ft. 3 in., irregular in area. It is proposed to occupy this structure as a motor vehicle repair shop; and

WHEREAS, a committee of the Board made an informal inspection of these premises and are familiar with the general section and surrounding conditions; and

WHEREAS, it appears that the use, if there ever was a use as a blacksmith shop, was actually given up for one reason or another in 1931 and the automobile repair use continued since that time illegally, as shown in statements made at the hearing; and

WHEREAS, the Board deemed that applicant has failed to substantiate his basis of appeal under Section 21 of the building zone resolution, and, therefore, is not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

956-27-BZ.

APPLICANT—Scacchetti & Siegel, for The Nod-Away Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously granted by the board and the time limit expired; reopened May 29, 1934).

PREMISES AFFECTED—1510 Jerome avenue, east side, 105.36 ft. north of East 172nd street (Block No. 2846, part of Lot No. 6), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Siegel.

For Opposition: Arthur E. Lehrfeld.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(956-27-BZ.)

WHEREAS, this application affecting premises 1510-1518 Jerome avenue, east side, 105.36 ft. north of East 172nd street (Block No. 2846, part of Lot No. 6), Borough of The Bronx, was originally granted by the board January 2, 1929, to permit in a business district the erection of a garage for more than five motor vehicles, the time to complete the work expired and the application was reopened November 4, 1932, to permit in lieu of erecting the garage, the erection of a gasoline service station, which permission was granted by the board, December 20, 1932; and

WHEREAS, the time to obtain permit and erect the gasoline station having expired, the owner through his architects, Scacchetti and Siegel, requested a reopening of the case and the case was reopened by vote of the board May 29, 1934; and

WHEREAS, the application is to permit in a business use district the erection and maintenance of a gasoline service station; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 26, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jerome avenue is in a business district; Townsend avenue is in a residence district; East 172nd street is in a residence district; West 172nd street is in a business district and Inwood avenue is in an unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 18, 1934, Re: Application No. B. 513-1932, reads:

“1. Erection of building and maintenance of premises in business district for gasoline service station is contrary to provisions of building zone resolution.”

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 100 ft. upon which it is proposed to erect a one-story structure 36 ft. by 23 ft. in area, to be used as grease room and office and also proposes to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition*

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that the gasoline service station shall not exceed the area indicated on plans filed in this appeal, namely, a frontage of 100 ft., and a depth of 100 ft.; that the entire plot shall be substantially level with the grade of Jerome avenue; that the accessory buildings shall be located toward the center of plot as indicated, with the rear walls not more than 50 ft. from the street building line of Jerome avenue; that these accessory buildings shall be constructed of brick and the roof surfaced with incombustible material; that the buildings shall not exceed one story in height and shall be used for office and greasing racks only, as indicated, with the front portion of the greasing section left open; that the balance of the premises where not covered by accessory buildings shall be either cement-paved or covered with cracked bluestone; that all gasoline pumps shall be located toward the end of the premises, but not less than 10 ft. from the street building line and not within 10 ft. of any portion of the accessory buildings, that the existing retaining wall at the rear of the property shall be faced with a brick wall at least 8 ft. in height, and that a similar wall shall be constructed along the southerly lot line from the rear line to Jerome avenue, except that this wall may be constructed to a height of 4 ft. at the street building line and stepped up at the rate of one foot in four to the 8 ft. height; that along the northerly interior lot line of these premises from the rear line to Jerome avenue there shall be constructed a fence consisting of brick piers and pipe rails, these piers to be not less than 5 ft. in height and the pipe railing to be not less than 4 ft. in height and made up of pipe not less than 1 1/4 in. in diameter; that no portable gasoline tanks shall be used on or from the premises; that all signs advertising non-conforming uses shall be restricted to the illuminated glass globes of the pumps and to flat wall signs attached directly to the facade of the accessory buildings; that no car parking shall be permitted on the property other than cars being serviced; that no open excavation shall be constructed or permitted under the accessory building except the pits for greasing racks; that the light for illumination at night shall be by means of pipe standards with metal reflectors, so arranged as to reflect downwardly and away from the residential property in the rear; that there shall be erected along the street building line a reinforced concrete curb not less than 12 in. in width and not less than 6 in. in height with not over two (2) openings therein to Jerome avenue, which openings shall not exceed 25 ft. in width, and that opposite these openings in the street line curb there shall be curb cuts not exceeding 30 ft. in width at the street curb; that all permits shall be obtained within three months and all work completed within six months from the date of this action.

266-33-BZ.

APPLICANT—John Kadel, for Hollender Holding Corp., owner.

SUBJECT—Application for reopening—extension of time re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Sound View avenue and St. Lawrence avenue (Block No. 3596, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Mary Judge.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(266-33-BZ)

WHEREAS, this application affecting premises northwest corner of Sound View avenue and St. Lawrence avenue (Block No. 3596, Lot No. 1), Borough of The Bronx, was granted by the Board February 6, 1934, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the board on February 6, 1934, be and it hereby is *amended* only so far as it refers to the obtaining of permits and completion of work so that as amended that clause of the resolution shall read:

"That all permits required shall be obtained within six months and all work shall be completed within one year from the date of this amended resolution *on condition* that other than as amended herein the resolution shall be complied with in all respects."

APPROVAL OF PLANS.

618-29-BZ.

APPLICANT—Conroy & Hardy, for Trojan Holding Co., owner.

SUBJECT—Application for approval of plans, in accordance with resolution adopted by the board on May 16, 1933.

PREMISES AFFECTED—651-661 New York avenue, northeast corner of Hawthorne street (Block No. 4815, Lot Nos. 1 and 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Plans approved on condition.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(618-29-BZ)

WHEREAS, this application affecting premises 651-661 New York avenue, northeast corner of Hawthorne street (Block No. 4815, Lot Nos. 1 and 64), Borough of Brooklyn, was granted by the board May 16, 1933, on certain conditions and time extended December 5, 1933 and May 22, 1934, and applicant requests an approval of plans.

Resolved, that the Board of Standards and Appeals does hereby *approve* plans submitted as complying with the resolution of the board as adopted on May 16, 1933, as amended by resolution adopted December 5, 1933, and May 22, 1934, and permitting the street curbing along the street building line as indicated to be 12 inches in width by 6 inches in height and the vehicular openings 25 ft. in width with curb cuts opposite 30 ft. in width; also, as to vehicular opening on Hawthorne street, to have no part further from the intersection of Hawthorne street and New York avenue than 35 ft., permitting the open space between accessory buildings and pumps to be covered with crushed bluestone and permitting the sliding doors to be constructed at the front of the greasing pits *on condition* that if sliding doors are installed, a permanent ventilating fan shall be installed under the greasing floor exhausting to the outer air either through an area on these premises

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or through a metal duct carried above the roof line; that there shall be no window openings in the walls or buildings to the adjoining property and that the resolution adopted by the board on May 16, 1933, as amended December 5, 1933 and May 22, 1934, shall be complied with in

all respects other than as herein amended by this approval of plans.

Adjourned 1:15 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 26, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

107-34-BZ

APPLICANT—Samuels & Samuels, for John Bauer Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

APPEARANCES—

For Applicant: Milton Samuels.

For Opposition: None.

ACTION OF BOARD—Laid over to July 3, 1934, at 2 P. M. for further consideration by board.

78-34-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Cross Bay Theatre, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: B. F. Bongard.

For Opposition: None.

ACTION OF BOARD—Laid over to July 10, 1934, at 2 P. M., upon request of applicant's representative.

62-34-BZ.

APPLICANT—Henry G. Harrington, for Dagmar Matsen Clements, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station (previously denied; reopened under new facts, June 5, 1934).

PREMISES AFFECTED—6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry G. Harrington.

For Opposition: A. J. Golden, Allen M. Pollack, Moses B. Sherr.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(62-34-BZ)

WHEREAS, Henry G. Harrington, for Dagmar Matson Clements, owner, filed March 6, 1934, an application under the building zone resolution to permit in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station; premises: 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Borough of Brooklyn; and

WHEREAS, this application was denied by the Board at its meeting May 15, 1934, after the reading of a report by a committee of the board recommending denial without prejudice to the applicant reopening the case, when certain recommendations of the committee were complied with, and the case was reopened June 5, 1934, by vote of the board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 26, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Fort Hamilton parkway is in a business district, 65th street is in a business and unrestricted district, 9th avenue is in a business and unrestricted district and 64th street is in a business and unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 14, 1934, re: Applic. No. 319-34, reads:

"Proposed structural alteration to establish an additional prohibited use as a gas station in conjunction with an existing auto repair shop in a business district is contrary to the B. Z. Res. article 2 4a (4) and section 6, and is therefore denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 46 ft. 11 in. on Fort Hamilton parkway, 73 ft. 6 in. on 65th street and a distance of 42 ft. 6 in. along the west lot line. On the southerly part of the Fort Hamilton parkway front of the plot there is located a three-story non-fireproof building; the first story occupied as a motor vehicle repair shop and the upper stories as dwellings. The remainder of the plot is developed with a one-story, non-fireproof structure occupied as a motor vehicle repair shop and garage. It is proposed to alter part of this existing one-story structure (having a frontage of 34 ft. on 65th street and 28 ft. on Fort Hamilton parkway) and to occupy said space as an "arcade" or roofed gasoline service station; and

WHEREAS, the board deemed that the applicant had complied with the recommendations contained in the report of the committee which inspected the premises on May 3, 1934, and that applicant had substantiated his basis of application under section 21 (hardship) of the building zone resolution.

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Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the plot as indicated on plans marked "Received May 29, 1934" for the dimensions of approximately 28 feet on Fort Hamilton parkway and 38 feet on 65th street, shall be entirely cleared of all buildings and regraded to the approximate level of the street curb; that there shall be constructed along the westerly line between this building and the adjacent one-story building an unpierced brick wall not less than 13 feet in height; that all openings in the adjoining one-story building to the south shall be blocked up with masonry equivalent to the thickness of the wall, up to a height of at least 15 feet above curb level, except that there may be one show window constructed as indicated not over 5 feet square in size, provided this show window is equipped with a metal frame and fixed sash and glazed with ¼-inch wire plate glass; that the entire plot shall be cement paved; that there may be erected one greasing pit toward the westerly side; that no gasoline pump shall be nearer than 10 feet to either street building line or any part of an adjacent building; that there shall be erected along the street building line a concrete curb not less than 12 inches in width and 6 inches in height for a distance of at least 6 feet both westerly and southerly from the corner formed by the intersection of Fort Hamilton parkway and 65th street; that the curb cuts on 65th street and Fort Hamilton parkway shall not exceed 30 feet in width; that no portable gasoline tanks shall be used on or from the premises; that all signs advertising non-conforming uses shall be confined to the illuminated globes of the gasoline pumps, excluding all other signs; that no automobile repairing shall be done on this gasoline service station area; that there shall be no excavation under this plot except the pit for the greasing rack; that there may be constructed a small office where indicated, provided this office is not over one story in height, constructed of fireproof materials with no openings into the adjoining building to the south; that all permits required shall be obtained within three months and all work completed within six months from the date of this action.

96-34-BZ.

APPLICANT—Kennedy & Ellner, for Milfan Building Corp., owner.

SUBJECT—Application (re decision of the commisisoner of buildings), under section 21 of the building zone resolution to permit partly in a residence district and partly in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Thorn.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(96-34-BZ)

WHEREAS, Kennedy & Ellner, for Milfan Building Corp., owner, filed April 9, 1934, an application under the building zone resolution to permit partly in a residence district and partly in a business district the erection and maintenance of a gasoline service station; premises: northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 26, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Farmers boulevard is in a business district, 115th road is in a residence district, 115th avenue is in a residence district and Mexico street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 5, 1934, re: Plan No. 289-34, reads:

"The erection of a gasoline service station in a business district and extending into a residence district is contrary to article 2, sections 3 and 4, subdivision 46, BZR."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Farmers boulevard and 105 ft. on 115th road. The west portion of the plot extends into the residence district for a distance of about five (5) feet—the remainder of the plot is in the business district. Proposes to erect on the site a one-story structure, 20 ft. by 28 ft. in area to be used as office and auto laundry; to install grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal were the subject of an inspection by a committee of the board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 96-34-BZ.

Premises—Northwest corner of Farmers boulevard and 115th road (Block No. 1336, Lot No. 58), St. Albans, Borough of Queens.

This is an application for a zoning variance under section 21 to permit the erection of a gasoline service station at the northwest corner of Farmers boulevard and 115th road, St. Albans, Borough of Queens.

The plot has a frontage of 100 ft. along Farmers boulevard and 105 ft. along 115th road. The property along Farmers boulevard for a depth of 100 ft. is zoned for business on both sides and to the rear easterly and westerly is zoned for residence, consequently approximately 5 feet of the rear of this property under appeal is within the residence district.

The applicant claims that while this property is practically free and clear there is an assessment and arrear of taxes due and that the assessment has been so greatly increased since 1925 that the carrying charge are excessive and that there is now no income from the property.

The site and the adjoining section was inspected by a committee of the board on June 7, 1934. The section is generally of a residential nature, consisting of single family homes, of which there are extensive developments on the side streets. Along the business frontage there are groups of stores for neighborhood purposes and these stores are partly rented, but there are a number of vacancies, the condition being similar in this respect to other sections of the city in the suburbs.

There are two gas stations on Farmers boulevard, one at Linden boulevard about one-fifth of a mile from the site which was apparently in existence prior to the amendment to the zoning law prohibiting gasoline stations in business districts, and another station to the north also about one-fifth of a mile away, which station was granted by the board under Cal. No. 261-29-BZ. The conditions, however, in connection with that case were considerably different in that the station was located on an island plot surrounded by several other island plots and the neighboring owners were generally consenting.

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There have been many objections filed against the granting of this variance, including an objection from the St. Albans Improvement Association.

An additional gasoline station cannot be needed in this area in view of the existing stations, and, in the opinion of the committee, any station at this point would deteriorate property values and tend to interfere with the continuation of the residential development. The committee cannot find that there has been any practical difficulties or unnecessary hardship shown or proven to justify a variance. The property of this owner is like that of others who are holding vacant frontage along this avenue and who are also undoubtedly suffering because of the excessive amount zoned for business use which carries with it excessive valuations for tax purposes by reason of such zoning. The committee feels that the adjoining neighbors in all directions who have registered their objections to this variance, particularly since many of the objectors are owners of similar vacant business property themselves, are correct in their contention that this gasoline station should not be granted and the committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application, and the board deemed that applicant had not substantiated his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

375-33-BZ.

APPLICANT—Martin J. Ort, for Dandern Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), Borough of The Bronx.

APPEARANCES—

For Applicant: Herbert J. Ryan.

For Opposition: Lester A. Kent.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(375-33-BZ)

WHEREAS, Martin J. Ort, for Dandern Realty Co., owner, filed December 12, 1933, an application under the building zone resolution to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises: southwest corner of Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 26, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bailey avenue is in a business and residence district, West 233rd street is in a business district, Albany Crescent is in a residence district and West 231st street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 28, 1933, re: Applic N. B. 457-33, reads:

"1. Erection of building and maintenance of premises on plot partly in business district and partly in residence district for use as gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 106 ft. on Bailey avenue, 46 ft. on West 233rd streets and 73 ft. on Albany Crescent. The south portion of the plot extends into the residence district for a distance of six (6) feet—the remainder is in the business district. It is proposed to erect thereon a one-story office, 20 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 375-33-BZ.

Premises—Southwest corner Bailey avenue and West 233rd street (Block No. 3267, Lot No. 38), Borough of The Bronx.

The premises under appeal in this application are located at the southwest corner of Bailey avenue and West 233rd street and Albany Crescent, Borough of The Bronx, and are irregular; the most of the plot is in an area zoned for business use but part toward the southwest, along Bailey avenue, is in the residence zone. The variance desired is for a gasoline service station, under Section 21.

A Committee of the Board inspected this site on June 7, 1934.

It is claimed that the size and shape of the plot precludes its use for a conforming development. The committee cannot agree that this is so, as it is the committee's opinion that the plot is admirably adapted for a conforming use and can find no justifiable basis for the claim that there are practical difficulties and unnecessary hardship.

Across Bailey avenue are several apartment houses and dwellings, which in the committee's opinion would be seriously harmed if the gasoline station were permitted across the street. At present there are billboards around the property, which presumably bring in some income, although undoubtedly inadequate to carry the property.

There are no consents filed and the objectors are nearby apartment and residence owners and owners of vacant property directly opposite, who are also burdened with carrying charges, but who expect to develop with apartment houses.

The committee recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, the report recommended the denial of the application, and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

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39-34-BZ.

APPLICANT—Hlavac & Dlouhy, for Little Neck Investors, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the change of occupancy of an existing building to business use (restaurant).

PREMISES AFFECTED—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Albert Hlavac.

For Opposition: Arthur J. Shaw, Jr., and W. J. Murphy.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(39-34-BZ)

WHEREAS, Hlavac & Dlouhy, for Little Neck Investors, Inc., owner, filed February 13, 1934, an application under the building zone resolution to permit in a residence district the change of occupancy of an existing building to business use (restaurant); premises: northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 26, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Pembroke avenue is in a residence district, Northern boulevard is in a business district, Little Neck parkway is in a business district and Van Nostrand court is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 28, 1934, reads:

"Responding to your communication of the 27th inst regarding property of your client at the northwest corner of Pembroke avenue and Westmoreland street, Little Neck, please be advised that as this property is located in a Residence District, Certificate of Occupancy covering restaurant is denied.

"Our records show that under date of October 11, 1933, this department wrote to the Department of Health, New York City, recommending DISAPPROVAL of the application made to that department for permit for restaurant, as this property is in a residential district, and this occupancy is therefore prohibited.

"Under date of January 22, 1934, we wrote to Mr. W. Bryce Rea, 44-11 Little Neck parkway, Little Neck, quoting said disapproval for the above reason."

and

WHEREAS, the existing building is of frame construction two (2) stories in height, with a frontage of approximately 40 ft. and a depth of approximately 80 ft. to be occupied as a restaurant; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which was read at this hearing and which recommended the granting of the application under section 21 of the building zone resolution for a period of two years from this date and with such restrictions as to protect the adjoining property owners.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that

the application be and it hereby is *granted*, under section 21, permitting the existing building to be used as a public restaurant for a period of two years from the date of this action, *on condition* that the building shall not be increased in height or area; that all service shall be within the building and not on the grounds; that a legal restaurant permit shall be obtained; that no application shall be made nor permit issued for the sale of alcoholic beverages other than light wines and beer; that the restaurant shall not be operated or permitted to remain open after midnight; that the owner shall file with this board and with the commissioner of buildings of the Borough of Queens an agreement properly executed by the duly authorized officers of the owning corporation setting forth that this building will be maintained at all times in a respectable manner and in a way to avoid its becoming a nuisance to the owners of the neighboring properties; that it will request the neighboring owners to appoint a committee of three to supervise in cooperation with the owner, the operation of the restaurant to the end that the restaurant will be operated so as to obviate objections and complaints from the nearby owners; also that in the event that this committee finds that the restaurant is not being operated in that manner, that, upon the filing with this board of an appeal requesting the rescindment of the resolution and a revocation of the certificate of occupancy issued or to be issued by the commissioner of buildings, this application for revocation of permit and certificate of occupancy will not be opposed by said owning corporation in the event that this board finds that a nuisance exists and that the nearby residents are justified in their complaint; that such musical instruments as are used on the premises shall be limited to stringed instruments; that no parking of cars shall be permitted along the southerly side of Pembroke avenue; that the necessary certificate of occupancy shall be obtained within thirty days and the restaurant permit from the Board of Health obtained within ninety days from the date of this action.

507-32-BZ.

APPLICANT—John M. Baker, for Samuel A. Potter, owner.

SUBJECT—Application for reopening—amendment—Application (re decision of the superintendent of buildings), under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Roosevelt avenue and 50th street (Block No. 138, Lot Nos. 55, 60 and 61), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: John M. Baker.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(507-32-BZ)

WHEREAS, this application affecting premises northwest corner of Roosevelt avenue and 50th street (Block No. 138, Lot Nos. 55, 60 and 61), Woodside, Borough of Queens, was granted by the board January 20, 1933, on certain conditions and time extended December 5, 1933 and applicant requests an amendment of the resolution.

MINUTES

Granted on condition that there shall be constructed along both interior property lines a wall not less than 8 feet in height, faced with enameled brick with a suitable coping; that this wall may start at a height of 4 feet at the street building lines and be set back at the rate of one foot in four to the height of 8 feet; that there shall be constructed along the street building lines a concrete curb not less than 12 inches in width and 6 inches in height with openings therein not exceeding 25 feet in width, one to 50th street, not nearer than 10 feet from the intersection of 50th street and Roosevelt avenue and two to Roosevelt avenue not nearer than 10 feet to the intersection of 50th street, with curb cuts opposite not exceeding 30 feet in width; that the entire area shall be cement paved; that such accessory buildings as are erected shall be located along the northerly interior line of the property; that the lot line wall may be incorporated into the building as the rear wall thereof; that accessory buildings shall be of fireproof construction, not over one story in height, faced with enameled brick similar to the walls, except that the roof beams, roof boarding, doors and windows may be of wood, provided the roof is weather surfaced with incombustible materials and the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no open excavation under these accessory buildings except for the pits of the grease racks; that there shall be no open flame permitted on the premises; that all gasoline pumps shall be set back not less than 10 feet from the street lines; that no portable gasoline tanks shall be used on or from the premises; that signs advertising non-conforming uses shall be confined to the illuminated globes of the pumps and to permanent flat signs attached to the walls or facades of the accessory buildings, excluding all temporary signs; that lights for general illumination shall be on pipe standards with metal reflectors so arranged as to reflect downwardly to avoid nuisance to adjacent owners; that no parking of cars shall be permitted on the premises except cars being serviced; that all plans shall be submitted to the board and approved by the chairman in behalf of the board prior to filing with the commissioner of buildings; that all permits shall be obtained within six months and all work involved completed within one year from the date of this amended resolution.

APPEALS FROM ADMINISTRATIVE ORDERS.

131-34-A.

APPELLANT—Ridgefield Refrigeration Service Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—643 Brook avenue (Block No. 2361, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Appellant: Abraham Greenberg.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to July 10, 1934, at 2 p. m., for appellant's representative to fill revised plans.

142-34-A.

APPELLANT—Davis & Goldbaum, Inc., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—80-08 Rockaway Beach boulevard, north side, 40 ft. west of Beach 80th street (Block No. 551, Lot No. 3), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Appellant: John Manheimer.

For Administration: None.

ACTION OF BOARD—Laid over to July 10, 1934, at 2 p. m., to check up on basis of order.

270-33-A.

APPELLANT—John J. Dunnigan, for Robitzek Investing Company, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—2534 Eastern boulevard, south side, 440.49 ft. west of Ferris avenue (Block No. 5541, Lot Nos. 8, 31, 42, 44 and 150), Borough of The Bronx.

APPEARANCES—

For Appellant: Joseph F. Dusenbury.

For Administration: None.

ACTION OF BOARD—Appeal withdrawn on request of appellant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

186-34-A.

APPELLANT—Eric J. Wentz, for Allied Associations and Citizens of St. Albans.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Southeast corner of 196th street and 114th avenue (Block No. 1892, Lot No. 1), St. Albans, Borough of Queens.

APPEARANCES—

For Appellant: Eric J. Wentz.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

150-34-A.

APPELLANT—Robert Teichman, for Estate of William Waldorf Astor, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—57-69 West 19th street (Block No. 821, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Appellant: Robert Teichman.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(150-34-A)

WHEREAS, Robert Teichman, for Estate of William Waldorf Astor, owner, filed June 2, 1934, an appeal from an order of the commissioner of buildings affecting premises 57-69 West 19th street (Block No. 821, Lot No. 1), Borough of Manhattan, and

WHEREAS, the order of the commissioner of buildings, dated May 14, 1934, No. 12245-F, reads:

MINUTES

"1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Section 580-1, chap. 5, code of ordinances."

and

WHEREAS, the building is non-fireproof, 6 stories (92 ft.) in height, 68 ft. 5 in. by 152 ft. 3¼ in. in area; OCCUPIED: Cellar—storage and boiler room, 2 persons; 1st story—stores, 20 persons; 2nd story—sponging, 11 persons; 3rd and 4th stories, paper box factory, 40 persons each story; 5th and 6th stories—novelty factory, 17 persons each story; located within an unrestricted district; and

WHEREAS, the appellant claims the standpipe system was installed when the building was erected in 1896, in compliance with the requirements then in force, fed from a 5,000 gallon house supply tank, 3,500 gallons reserved for standpipe lines, the bottom of which is 4 ft. above the highest hose outlet; the building is also protected by a sprinkler system supplied from a gravity tank and a pressure tank; furthermore the appellant proposes to provide ½-in. hose nozzle for top story and such additional fire extinguishing appliances as may be required.

Resolved, that the order No. 12245-F of the commissioner of buildings be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the standpipe tank at this present height of not less than 2 ft. 7 in. above the roof and 4 ft. above the highest outlet shall have at all times at least 3,500 gallons of water reserved for standpipe purposes only; that the standpipe system shall otherwise comply with Rule '91 of the Standpipe Fire-Line Rules of the Board of Standards and Appeals; that such auxiliary fire extinguishing appliances shall be installed and maintained, as the commissioner may direct; and that the sprinkler system shall be maintained in satisfactory working condition.

PETITIONS FOR VARIATIONS.

144-34-S.

PETITIONER—Fred H. Schneer, for Mary B. Schneer, owner.

SUBJECT—Petition for variation of the labor law as cited in an order of the fire commissioner and a decision of the commissioner of buildings.

PREMISES AFFECTED—781 East 135th street (Block No. 2587, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Petitioner: Fred H. Schneer.

For Administration: None.

ACTION OF BOARD—Petition granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(144-34-S)

WHEREAS, Fred H. Schneer, for Mary B. Schneer, owner, filed May 23, 1934, a petition for a variation of the requirements of the labor law as cited in an order of the fire commissioner and a decision of the commissioner of buildings, affecting premises 781 East 135th street (Block No. 2587, Lot No. 1), Borough of The Bronx; and

WHEREAS, the order, No. 96743-LD, of the fire commissioner, dated August 3, 1932, reads:

"Inspection shows the following to be necessary to make the above premises comply with the requirements of the Labor Law.

"1. Enclose interior stairway serving as required means of egress in partitions of fire retarding material extending from floor to ceiling at 2nd story. All

openings to be protected with approved fire doors as per rules of the Board of Standards and Appeals." and also the decision of the commissioner of buildings, dated May 4, 1934, re Order No. 96743-LD.

"In reply to yours of the 26th ult. in which you request the rescindment of Order No. 96743-LD, pending against the above premises, you are advised that the requirements embodied in item 1 of the order are made necessary by the factory exit rules adopted by the Board of Standards and Appeals which this department has no authority to modify. Your request, therefore, must be denied as to Item 1."

and

WHEREAS, the building is non-fireproof, 4 stories in height, 40 ft. by 200 ft. in area; OCCUPIED: cellar, stock, one person; 1st story, stock and office, 4 persons; 2nd story, cushionings and spraying, 11 persons; 3rd story, reed workers, 23 persons; 4th story, storage, no occupancy; located within an unrestricted district; EQUIPPED with a sprinkler system; EXITS: two interior wooden stairways extending from the 1st story to top story, iron ladder to roof scuttle; the southerly stairway is enclosed in fire retarded partitions of wire lath and P. C. plaster with fireproof doors at openings; the center stairway is enclosed in board partitions at 3rd and 4th stories only; two sub-standard fire escapes, one on front and one on rear of the building, having non-fireproof openings along the course thereof, extending from the 2nd story to the top story, gooseneck ladder to roof and drop-ladder to ground; no adjoining buildings; and

WHEREAS, the petitioner claims the building was erected about 1894; there is a fire wall dividing the building into two equal floor areas, with iron doors at all communicating openings, the northerly section of 2nd story where spraying is done is provided with a metal ceiling, paints and varnishes are stored outside the building in a fireproof structure, paints are brought inside only as needed for immediate use; in lieu of enclosing the interior stairway, the petitioner proposes to cut off the section of 2nd story where spraying is done by constructing a fire retarded vestibule and fireproof self-closing door at the entrance doorway through fire wall; furthermore, the petitioner contends the present exits are adequate.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the Labor Law, and that the petition be and it hereby is *granted on condition* that the iron doors in the brick division wall are made self-closing and a fireproof vestibule with self-closing door is constructed, as indicated on the second floor north; *granted* so long as the building is not increased in height or area and the occupancy remain substantially the same with not more than 23 persons employed above the second floor; that the sprinkler system shall be maintained in condition satisfactory to the Commissioner; and that the paint spraying equipment on the second floor shall be maintained in accordance with the rules and regulations.

139-34-S.

PETITIONER—Meyer Kraushaar, for Marcelle S. Flint, owner.

SUBJECT—Petition for variation of the labor law as cited in decisions of the commissioner of buildings.

PREMISES AFFECTED—115 Manhattan avenue (Block No. 3060, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Petitioner: Meyer Kraushaar and Robert Teichman.

For Administration: None.

ACTION OF BOARD—Petition granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
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MINUTES

Negative 0
Absent 0

THE RESOLUTION—

(139-34-S)

WHEREAS, Meyer Kraushaar, for Marcella S. Flint, owner, filed May 21, 1934, a petition for a variation of the labor law as cited in decisions of the commissioner of buildings, affecting premises 115th Manhattan avenue (Block No. 3060, Lot No. 19), Borough of Brooklyn, and

WHEREAS, the decision of the commissioner of buildings, dated May 1, 1934, Re Application No. 4528-1934, reads:

"The following objections have been filed by the examiners:

2—To reduce width of entrance hall in front of elevator to 4 ft. 0 in., contrary to commissioner's ruling."

and

Decision of the commissioner of buildings, dated June 15, 1934, Re Application No. 7487, 1934, reads:

"The following objections have been filed by the examiners:

"1. Manufacturing space to be subdivided with permanent partition.

"2. Total area allowed for manufacturing not to exceed 2,450 square feet (including cellar floor in area questioned)."

and

WHEREAS, the building is non-fireproof, 4 stories (54 ft. 6 in.) in height, 25 feet by 98 feet in area; vacant at present; proposed OCCUPANCY: cellar, storage, no occupancy; 1st story, store and 25 per cent. factory use; 40 persons per story; located within a business district; EXITS: an interior wooden stairway, extending from the 1st story to roof, enclosed in partitions of wood stud, metal lath and $\frac{3}{4}$ inch P. C. plaster, both sides with fireproof doors at openings; sub-standard fire escape on the rear of the building, having non-fireproof openings along the course thereof, extending from the first story to the top story and gooseneck ladder to roof; ROOFS of adjoining buildings; 12 feet lower at north and south; and

WHEREAS, the petitioner claims the building was erected prior to 1905, in accordance with the labor law then in force; there is only one interior stairway 3 feet in width throughout which terminates about 36 feet from the street entrance; the petitioner proposes to remove the rear fire escape and construct a standard labor law fire escape on the front, with fireproof openings along the course thereof and a gooseneck ladder to the roof; install an adequate interior fire alarm system; construct an entrance hall 4 feet in width, from the foot of interior stairway to street entrance door, enclosed in fire retarded partitions; the commissioner of buildings has ruled that the proposed entrance hall must be 8 feet in width; this excessive width would reduce the width of store on 1st story to 6 $\frac{1}{2}$ feet; the owner would suffer an extreme hardship in this case if compelled to maintain the entrance hall 8 feet in width; the petitioner contends the ruling of the commissioner of buildings is unreasonable; that the proposed 4 feet in width for entrance hall is in excess of the width required under the labor law for either new or old buildings; as to item 1, the board is requested to waive the requirements of permanent partitions sub-dividing floor spaces used for factory purposes, as unnecessary; as to item 2, the net available floor area shown on plans for factory use amounts to 3,060 square feet, without considering the space used for rest rooms, storage, etc., so that at no time could the full area be used for factory purposes, the petitioner contends the floor area as shown on plans for factory purposes complies with the requirements of the zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor

Law, and that the petition be and it hereby is granted as to Objection 2, application filed with the commissioner of Buildings, No. 4528-1934, on condition that the width of the entrance hall shall be four feet in net width at all points; granted as to Objections 1 and 2 of Application filed with the commissioner of buildings No. 7487-1934, on condition that the building complies with the requirements of the Labor Law throughout and that the total amount of space used for actual manufacturing work throughout the building shall not exceed 25 per cent. of the net floor space of the entire building and in no event shall be more than 3,060 square feet.

APPLIANCES SUBMITTED FOR APPROVAL.

157-34-SA.

PETITIONER—August Corsini, for H. Liebllich & Co., for S. T. Johnson Co., owner.

SUBJECT—S. T. Johnson Oil Heat Servant, approval of.

APPEARANCES—

For Petitioner: August Corsini.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the board and Bureau of Combustibles, Fire Department, for test and report.

163-34-SA.

PETITIONER—David Kaufman, for M. K. Mazer and Sidney C. Friedman, owner.

SUBJECT—Samson Magnetic Fuel Oil Pump, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the board and Bureau of Combustibles, Fire Department, for test and report.

1-34-SA.

PETITIONER—Stephen H. Payne, Agent, for The Williams Gauge Company, owner.

SUBJECT—Hager Silent Check Valve, approval of.

APPEARANCES—

For Petitioner: Stephen H. Payne.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the Board and testing committee of Division of Fire Prevention, Department of Buildings, Manhattan.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(1-34-SA)

WHEREAS, Stephen H. Payne, agent for The Williams Gauge Company, owner, filed January 5, 1934, a petition with the Board of Standards and Appeals for the approval of the device known as the Hager Silent Check Valve; and

WHEREAS, an inspection was made of this device in operation by a committee of the board and a testing committee of the Division of Fire Prevention at 60 Broadway, on April 26, 1934, and the report of the committee reads as follows:

"This is a non-corroding spring check valve for use on the discharge lines of fire pumps and house or tank filling pumps, its purpose is to reduce water hammer on the discharge side of pump and close without noise or clatter. It is circular in design with interior moving parts consisting of a non-corroding spring, a spring plate and a disc on a ground seat, all

MINUTES

of bronze. The openings through valve body provide an area at least 25 per cent. greater than pipe size. The body is faced and drilled for standard flanged fittings with cast iron bodies for pressures not exceeding 350 pounds, W.W.P. cast steel series No. 30 for pressures between 350 and 550 lbs., W.W.P. and series No. 40 to 60 for pressures exceeding 500 lbs.

"A 6 in. valve was submitted to the Factory Mutual Laboratories of Boston, Mass., for test on May 2, 1933, and was approved after friction loss, water hammer, leak and hydrostatic tests. The result showed a friction loss of 2.9 lbs. in a flow of 750 G.P.M. which is our standard fire pump requirements, the water hammer was reduced considerable and no leaks developed at 500 lbs. W.W.P. The valve withstood a hydrostatic test of 1,300 lbs. without distortion.

"The applicant has filed additional blue prints showing the valve design, materials and dimensions in the 6 in. and 8 in. valves of standard flanges in cast iron and Series No. 30, 40 and 60 cast steel. The applicant agrees to secure to each valve body, a sign plate showing the W.W.P., the size of valve and approval number for field inspection.

"This type of pump check valve is not required by the rules but accepted when required by the architect or owners to reduce check clatter or hammer. The valve may be installed in either a horizontal or vertical position as both upstream and downstream pressure are equal on all parts of disc area.

"It is recommended that the Hager Check Valve be approved for use on the pump discharge lines of centrifugal fire pumps and tank filling pumps of standpipe and sprinkler system, to be flanged fitted to pipe sizes as specified in the code of ordinances and the rules, the valve parts to be of nickel or phosphor bronze, the body of cast iron or cast steel, Series No. 30 to 60, in accordance with the W.W.P. requirements of the standpipe rules."

and

WHEREAS, this device has been approved by the Factory Mutual Laboratories of Boston, Mass.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Hager Silent Check Valve for use on the pump discharge line of centrifugal fire pumps and tank filling pumps of standpipe and sprinkler systems, when installed in accordance with the report of the committee of inspection and in accordance with the requirements of the Standpipe Fireline Rules and the Sprinkler Rules of the Board of Standards and Appeals, on condition that the valve parts shall be of nickel or phosphor bronze and the valve body of cast iron or cast steel; that a metal name plate at least 2 in. by 4 in. shall be securely attached to each valve body, such plate to contain an arrow indicating the direction of discharge, the manufacturer's name or trade mark, the working water pressure and the number of this case under which this valve is approved by this board.

Adjourned, 4:40 p. m.

EDWARD V. BARTON, Chief Clerk.

CORRECTION*

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday, May 8, 1934, as they appeared in Bulletin No. 20, Vol. XIX, are hereby corrected to read as follows:

369-33-SA.

PETITIONER—S-K Company, Inc., owner.

SUBJECT—S-K Oil Burner, Model F, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent: Commissioner Peppe.....	1

THE RESOLUTION—

(369-33-SA)

WHEREAS, S-K Company, Inc., owner, filed, December 7, 1933, a petition with the Board of Standards and Appeals for approval of the device known as the S-K Oil Burner, Model F; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and the device was approved

*Correction—231 changed to 251 in line 33 of resolution.

for use in domestic installations and petitioner requested an amendment of the resolution to include commercial and industrial uses; and

WHEREAS, the device was again referred to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The burner is identical with the burner described in report of January 24, 1934, submitted to Mr. Murdock, chairman of the Board of Standards and Appeals, for its approval in domestic installations.

The burner installed at these premises for commercial use differs in no respect from that which the undersigned had tested and approved on above date.

Therefore, we recommend that the S-K Oil Burner, Model "F", be approved for industrial and commercial use, when installed in accordance with the provisions of the Fuel Oil Rules adopted by the Board of Standards and Appeals.

We further invite your attention to the fact that this oil burner has been approved by the National Board of Fire Underwriters on September 9, 1933. Underwriters file, M. P. 251, Guide No. 300-10-4.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the S-K Oil Burner, Model F, for use in domestic, commercial and industrial installations when installed in accordance with above reports and the Fuel Oil Rules of the Board of Standards and Appeals.

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

REVISED ELEVATOR RULES

RULES FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF ELEVATORS (ADOPTED JULY 30, 1918, BY THE BOARD OF STANDARDS AND APPEALS, EFFECTIVE AUGUST 26, 1918; REVISED MAY 13, 1919) AND REVISED JUNE 12, 1931, EFFECTIVE DECEMBER 12, 1931.

[240-19-SR]

ELEVATOR RULES

Definitions

1. Alteration.

An "Alteration" of an elevator, dumbwaiter, or escalator, is a change in the use, classification, operation, control, character of power supply, capacity or speed of the elevator, escalator or dumbwaiter, application for which is filed in the Department of Buildings after the Rules become effective.

2. Auxiliary Power Elevator.

An "auxiliary power elevator" is one having a source of mechanical power, such as shafting, in common with other machinery.

3. Bi-Parting Door or Gate.

A "bi-parting door or gate" is a vertical-slide, horizontal-slide, or swing door or gate consisting of two or more sections so arranged that the sections, or pairs of sections, open away from each other, and so interconnected that both sections operate simultaneously.

4. Board.

Wherever the word "Board" is used in these Rules, unless specifically stated otherwise, it shall mean the Board of Standards and Appeals.

5. Bottom Clearance.

"Bottom clearance" of the elevator car is the vertical distance between any obstruction in the pit, exclusive of the compensating device, buffers, and buffer supports, and the lowest point on the understructure of the elevator car exclusive of the safeties, car-frame channels, and guide shoes, when the car floor is level with the lower terminal landing.

6. Bottom Overtravel.

"Bottom overtravel" of the elevator car is the distance the car floor can travel below the level of the lower terminal landing, until the fully loaded car rests on the buffers, and includes the resulting buffer compression.

Bottom overtravel of the counterweight is the distance the counterweight can travel below its position when the car platform is level with the upper terminal landing, until the counterweight rests on the buffers, and includes the resulting buffer compression.

7. Buffer.

A "buffer" is a device designed to absorb the impact of the car or counterweight at the lower limits of travel.

8. Department.

Wherever the word "Department" is used in these Rules, unless specifically designated otherwise, it shall mean the Department of Buildings.

9. Car or Counterweight Safety.

A "car or counterweight safety" is a mechanical device attached to the car or counterweight frame to stop and hold the car or counterweight in case of predetermined overspeed, free fall, or through slackening of the cables.

10. Car Door or Gate.

A "car door or gate" is the door or gate in or on the elevator car ordinarily used for entrance and exit.

11. Car Door or Gate Electric Contact.

A "car door or gate electric contact" is a device to open the control circuit, or an auxiliary circuit, when the car door or gate is open more than two inches from full closure, and thus prevent operation of the elevator in a direction to move the car away from the landing.

12. Car Enclosure.

The "car enclosure or cab" of an elevator is the enclosure consisting of railings, doors or gates, walls, and the top or cover built upon the platform.

13. Car Frame.

A "car frame" (sling) is the supporting frame to which the car platform, upper and lower sets of guide shoes, and the hoisting cables are usually attached.

14. Car-Leveling Device.

A "car-leveling device" is any mechanism or control which will move the car within a limited zone toward and stop the car at the landing. A car-leveling device may also be used for emergency operation of the car throughout its entire travel and for safe-lifting purposes.

15. Car Platform.

The "car platform" is the structure which forms the floor of the car and directly supports the load.

16. Chain-Driven Elevator.

A "chain-driven elevator" is an elevator machine connected to a reversible motor, engine or turbine by a chain.

17. Contract Load.

The "contract load" is the load specified in the contract for the purchase of the elevator, or in the application for the building permit.

18. Contract Speed.

"Contract speed" is the speed specified to be attained by the elevator in the up direction with contract load in the car in the purchase contract or in the application for the building permit.

19. Control.

The "control" of an elevator is the system of regulation by which the starting, stopping, direction of motion, acceleration, speed, and retardation of the elevator are governed.

19.1. Generator-Field Control.

"Generator-field control" is a system in which control is primarily accomplished by the use of an individual generator for each elevator, in which the voltage applied to the hoisting motor is adjusted by varying the strength and direction of the generator field.

19.2. Multi-Voltage Control.

"Multi-voltage control" is a system in which control is accomplished primarily by impressing successively on the armature of the hoisting motor a number of substantially fixed voltages such as may be obtained from multi-commutator generators common to a group of elevators.

19.3. Rheostatic Control.

"Rheostatic control" is a system in which control is accomplished primarily by varying resistance and reactance in the armature and field circuit of the hoisting motor.

20. Conveyor.

A "conveyor" is a device intended for the continuous movement of materials only and operating without the services of an operator thereon.

21. Door Closer.

A "door closer" is a device, operated by gravity or other means, which will automatically close a door when released by the operator or by suitable automatic means.

22. Double-Belted Elevator.

A "double-belted elevator" is an auxiliary power elevator in which the direction of motion is changed without reversal of the prime mover.

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23. Dumbwaiter.

A "dumbwaiter" is a hoisting and lowering mechanism equipped with a car, the maximum horizontal sectional area of which is 9 square feet, whose maximum compartment height, if provided with a fixed or removable bottom, is 4 feet, the maximum capacity of which is 500 pounds, and which is used exclusively for carrying freight or materials.

24. Electric Elevator.

An "electric elevator" is an elevator in which the motion of the car is obtained through an electric motor directly applied to the elevator machinery.

25. Elevator.

An "elevator" is a hoisting and lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction.

Dumbwaiters, hoists, endless belts, conveyors, chains, buckets, and similar machines used for the purpose of elevating materials, and tiering or piling machines are not included in the term "Elevator."

26. Elevator Car.

An "elevator car" is the load-carrying unit, including its platform, car frame and enclosure, if any.

27. Elevator Landing.

An "elevator landing" is that portion of a floor, balcony or platform immediately adjacent to the hoistway opening used to receive and discharge passengers, freight or materials.

28. Elevator Machine.

An "elevator machine" is the machinery and its equipment used in raising and lowering the elevator car.

28.1. Traction Machine.

A "traction machine" is an elevator machine in which the motion of the car and counterweight is obtained by means of traction between the driving drum, sheave, or sheaves and the connecting hoisting cables.

28.2. Winding-Drum Machine.

A "winding-drum machine" is an elevator machine in which the cables are fastened to and wind on a drum.

28.3. Direct-Drive Machine.

A "direct-drive machine" is one in which the power is transmitted directly to the driving sheave or sheaves without intermediate mechanism or gears.

28.4. Worm-Geared Machine.

A "worm-geared machine" is one in which the power is transmitted to the driving sheaves or drum through worm gearing.

28.5. Spur-Geared Machine.

A "spur-geared machine" is one in which the power is transmitted to the driving sheaves or drum through spur gearing.

29. Emergency Release.

An "emergency release" is a device to make inoperative door or gate electric contacts or door interlocks in case of emergency.

30. Emergency Stop Switch.

An "emergency stop switch" (safety switch) is a device in the car used to cut off the power from the elevator machine independently of the operating devices.

31. Escalator.

An "escalator" is a moving inclined continuous stairway or runway used for raising or lowering passengers.

32. Final Terminal Stopping Device.

A "final terminal stopping device" is an automatic device for stopping the car and counterweight from contract speed, within the top clearance and bottom overtravel, independently of the operation of the normal terminal stopping device, and the operating device.

33. Freight Elevator.

A "freight elevator" is an elevator used for carrying freight or materials and on which only the operator and the

persons necessary for handling the freight or materials are permitted to ride.

34. Gravity Elevator.

A "gravity elevator" is an elevator in which gravity is the source of power.

35. Hand Power Elevator.

A "hand power elevator" is an elevator driven by manual power.

36. Hoist.

A "hoist" is all the machinery, apparatus and equipment, (except cranes) for raising or lowering freight by means of a sling or hook.

37. Hoistway.

A "hoistway" is any shaftway, hatchway, well hole, or other vertical opening or space in which an elevator or dumbwaiter is designed to operate.

38. Hoistway Door or Gate.

A "hoistway door or gate" is the hinged or sliding portion of the hoistway enclosure giving access to the elevator at any landing.

39. Hoistway-Door or Gate Electric Contact.

A "hoistway-door or gate electric contact" is a device to open the control circuit, or an auxiliary circuit, when the hoistway door or gate at which the car is standing is open more than 2 inches from full closure, and thus prevent operation of the elevator car away from the landing.

39.1. Door Unit Contact System.

A "door unit contact system" is a contact system which meets the requirements of the contact definition above, but does not require all the hoistway doors to be closed.

39.2. Hoistway Unit Contact System.

A "hoistway unit contact system" is a contact system which meets the requirements of the contact definition above, and also requires all hoistway doors to be closed.

40. Hoistway-Door Interlock.

A "hoistway-door interlock" is a device, the purpose of which is:

First: To prevent the operation of the elevator machine to move the car away from a landing unless the hoistway door at that landing is locked in the closed position.

Second: To prevent the opening of the hoistway door from the landing side (except by special key), unless the car is at rest within the landing zone, or is coasting through the landing zone with its operating device in the stop position.

40.1. Door Unit Interlock System.

"Door unit interlock system" is an interlock system which meets the requirements of the interlock definition above, but does not require all the hoistway doors to be locked in the closed position.

40.2. Hoistway Unit Interlock System.

"Hoistway unit interlock system" is an interlock system which, in addition to fulfilling the requirements given under the definition of interlock, will also prevent the operation of the car unless all hoistway doors are locked in the closed position.

41. Hoistway Enclosure.

A "hoistway enclosure" is any structure which separates the hoistway, either wholly or in part, from the floors or landings through which the hoistway extends.

42. Hydraulic Elevator.

A "hydraulic elevator" is an elevator in which the motion of the car is obtained from liquid under pressure.

42.1. Plunger Elevator.

A "plunger elevator" is a hydraulic elevator having a ram or plunger directly attached to the under side of the car platform.

42.2. Rope-Geared Hydraulic Elevator.

A "rope-geared hydraulic elevator" is an elevator in which the motion of the car is obtained by

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multiplying the travel of a piston or ram by a system of sheaves over which the hoisting ropes operate.

43. Installations.

43.1. Existing Installation.

An "existing installation" of an elevator, dumbwaiter or escalator is an installation the application for which was filed with the Department before these Rules become effective in accordance with 1.1, *Applications*.

43.2. New Installation.

A "new installation" of an elevator, dumbwaiter or escalator is a complete elevator, dumbwaiter or escalator installation the application for which is filed with the Department after these Rules become effective in accordance with 1.1, *Applications*.

44. Landing Zone.

The "landing zone" is the space within 18 inches above or below the landing.

45. Manually Operated Door or Gate.

A "manually operated door or gate" is a door or gate which is opened and closed by hand.

46. Normal Terminal Stopping Device.

A "normal terminal stopping device" is an automatic device for stopping the elevator car within the overtravel independently of the operating device.

47. Operating Device.

The "operating device" is the car switch, push button, rope, wheel, lever, treadles, or similar devices used by the operator to actuate the control.

48. Operation.

"Operation" is the method of actuating the control.

48.1. Automatic Operation.

"Automatic operation" is operation by means of buttons or switches both in the car and at the landings, the momentary pressing of which will cause the car to start and stop automatically at the floor corresponding to the button pressed.

48.1.1. Single Automatic Operation.

"Single automatic operation" is automatic operation by means of one button at each landing, so arranged that if any car or landing button has been pressed the pressure of any other such button will be without effect on the operation of the car until the response to the first button has been completed.

48.1.2. Non-Selective Collective Automatic Operation.

"Non-selective collective automatic operation" is automatic operation by means of one button in the car for each landing level served and one button at each landing. All stops registered by the momentary pressure of landing or car buttons are made in the order in which the landings are reached after the buttons have been pressed, but irrespective of its direction of travel, of the number of buttons pressed or of the sequence in which they are pressed.

48.1.3. Selective Collective Automatic Operation.

"Selective collective automatic operation" is automatic operation by means of one button in the car for each landing level served and by "Up" and "Down" buttons at the landings. All stops registered by the momentary pressure of the car buttons are made as defined under non-selective collective automatic operation, but the stops registered by the momentary pressure of the

landing buttons are made in the order in which the landings are reached in each direction of travel after the buttons have been pressed. With this type of control, all "Up" landing calls are answered when the car is traveling in the "Up" direction and all "Down" landing calls are answered when the car is traveling in the "Down" direction (except in the case of the uppermost or lowermost calls, which are answered as soon as they are reached, irrespective of the direction of travel of the car).

48.2. Car-Switch Automatic Floor-Stop Operation.

"Car-switch automatic floor-stop operation" is operation in which the stop is initiated by the operator from within the car with a definite reference to the landing at which it is desired to stop, after which the slowing down and stopping of the elevator is automatically effected.

48.3. Car-Switch Operation.

"Car-switch operation" is operation in which the movement of the car is directly and solely under the control of the operator by means of a switch in the car.

48.4. Continuous-Pressure Operation.

"Continuous-pressure operation" is operation with up and down buttons or an up and down switch in the car and at each landing (except the terminal landings where one button or switch may suffice), any one of which may be used to control the movement of the car in the direction for which the button is pushed or the switch actuated, but only so long as the button or switch is manually held in the operating position. Landing stops are not automatic.

48.5. Dual Operation.

"Dual operation" is a system of operation in which the elevator is arranged to be operated as an automatic-operation elevator through landing and car buttons or switches, or as a manual-operation elevator by an operator in the car who may either use a car switch or the buttons provided in the car. When operated by an operator, upon the throwing of a suitable switch or switches, the car can no longer be started by the landing buttons; these buttons may be used to signal the operator that the car is desired at a certain landing.

48.6. Pre-Register Operation.

"Pre-register operation" is operation in which signals to stop are registered in advance by buttons in the car and at the landings. At the proper point in the car travel the operator in the car is notified by a signal, visual, audible, or otherwise, to initiate the stop, after which the landing stop is automatic.

48.7. Signal Operation.

"Signal operation" is operation by means of single buttons or switches (or both) in the car, and up or down direction buttons or switches (or both) at the landings by which predetermined landing stops may be set up or registered for an elevator or for a group of elevators. The stops set up by the momentary pressure of the car buttons are made automatically in succession as the car reaches those landings, irrespective of its direction of travel or the sequence in which the buttons are pressed. The stops set up by the momentary pressure of the up and down buttons at the landing are made automatically by the next car in the group approaching the landing in the corresponding direction, irrespective of the sequence in which the buttons are pressed.

With this type of operation the car can be started only by means of a starting switch or button in the car.

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49. Overhead Structure.

The "overhead structure" is all of the elevator equipment, supporting structure and platforms at the top of the hoistway.

50. Passenger Elevator.

A "passenger elevator" is an elevator designed to carry persons.

51. Platform Elevator.

A "platform elevator" is an elevator the platform of which is supported by ropes at two or more points at or below the platform level, and which is not provided with an underslung frame or sling having guide shoes so arranged as to prevent the tipping of the platform.

52. Pit.

A "pit" is that portion of an elevator hoistway extending below the level of the bottom landing saddle to provide for bottom overtravel and clearance, and for parts which require space below the bottom limit of car travel.

53. Power Elevator.

A "power elevator" is an elevator in which the motive power is obtained otherwise than manually or from gravity.

54. Power-Operated Door or Gate.

A "power-operated door or gate" is a door or gate opened and closed by power otherwise than by hand, gravity, springs, or the movement of the car.

54.1. Power-Operated Door or Gate, Manually Controlled.

A "power-operated door or gate, manually controlled," is a door or gate which is opened and closed by power other than by hand, gravity, springs, or the movement of the car, the door movement in each direction being controlled by the elevator operator.

54.2. Power-Operated Door or Gate, Automatically Opened.

A "power-operated door or gate, automatically opened" is a door or gate which is opened by power other than by hand, gravity, springs, or the movement of the car, the opening of the door being initiated by the arrival of the car at or near the landing. The closing of such door or gate may be under the control of the elevator operator or may be automatic.

54.3. Power-Opened, Self-Closing Door or Gate.

A "power-opened, self-closing door or gate" is a door or gate which is opened by power other than by hand, gravity, springs, or the movement of the car, and when released by the operator is closed by energy stored during the operation of opening.

54.4. Power-Closed Door or Gate.

A "power-closed door or gate" is a door or gate which is manually opened and is closed by power other than by hand, gravity, springs, or the movement of the car.

55. Power-Operated Door or Gate Device.

A "power-operated door or gate device" is a device or assemblage of devices to open and close the hoistway door and car door or gate by power other than by hand, gravity, springs, or the movement of the car.

56. Self-Closing Door or Gate.

A "self-closing door or gate" is a door or gate which is opened manually and closes when released.

57. Sidewalk Elevator.

A "sidewalk elevator" is a sidewalk type freight elevator which serves no floors above the sidewalk or ground level, and which has no opening into the structure at its top limit of travel.

58. Sidewalk Type Elevator.

A "sidewalk type elevator" is an elevator the platform of which is supported at two or more points at or below the platform level and which is provided with an underslung frame or sling and guide shoes so arranged as to prevent the tipping of the platform.

59. Single-Belted Elevator.

A "single-belted elevator" is an elevator machine connected by a belt to a reversible motor, engine or turbine.

60. Steam Elevator.

A "steam elevator" is an elevator in which the motion of the car is obtained from a steam engine directly applied to the elevator machinery.

61. Structure.

"Structure" shall mean, for the purposes of these Rules, a building or construction of any kind.

62. Commissioner.

Wherever the word "Commissioner" is used in these Rules, unless specifically stated otherwise, it shall mean the Commissioner of the Department of Buildings.

63. Top Clearance.

The "top clearance" of the elevator car is the distance the car floor can travel above the level of the upper terminal landing without any part of the car or devices attached thereto coming in contact with the overhead structure.

The top clearance of the elevator counterweight is the shortest vertical distance between any part of the counterweight structure and the nearest part of the overhead structure or any other obstruction when the car floor is level with the lower terminal landing.

64. Top Overtravel.

The "top overtravel" of the elevator car is the distance provided for the car floor to travel above the level of the upper terminal landing until the car is stopped by the normal terminal stopping device.

65. Travel (Rise).

The "travel" (rise) of an elevator or dumbwaiter is the vertical distance between the bottom terminal landing and the top terminal landing.

RULE 1. SCOPE AND PURPOSE

1.1. Application.

These Rules shall apply only to elevator, dumbwaiter and escalator installations when application for any of the following permits is filed with the Department after these Rules become effective:

1. For construction of a new structure;
2. For changes in an existing structure involving alterations of the existing elevator, dumbwaiter or escalator installation;
3. For the construction of a new elevator, dumbwaiter or escalator installation.

1.2. Scope.

These Rules cover the construction, inspection, maintenance and operation of elevators, dumbwaiters, escalators and their hoistways (except devices inclined at an angle of forty-five degrees or less for carrying one or two persons, belt, bucket, scoop, roller or similarly inclined or vertical freight conveyors, telescopic ash hoists, tiering or piling machines, skip hoists, wharf ramps, or apparatus in kindred classes, lift bridges and elevators used only for handling building materials and workmen during construction). The use of such excepted types of apparatus may be permitted at the discretion of the Commissioner.

Amusement devices, stage and orchestra lifts, and elevators of capacity exceeding 30,000 pounds and platform area exceeding 300 square feet when suspended by cables near each corner of the hoistway and at additional positions may be used subject to the discretion of the Commissioner.

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1.3. Purpose, Interpretation and Exceptions.

The purpose of these Rules is to provide reasonable safety for life and limb. In case of practical difficulty or unnecessary hardship the Board may grant exceptions from the literal requirements or permit the use of other devices or methods, but only when it is clearly evident that reasonable safety is secured.

1.4. Old Installations.

Existing elevators moved to new hoistways, shall comply with these Rules.

Equipment legally installed prior to the adoption of these Rules may be used without being reconstructed to comply with these Rules and shall be maintained by the owner in safe operating condition.

Existing installations may be altered to receive the benefit of any provisions of these Rules provided the safety requirements covering such provisions are met. When the alteration consists solely of a change in the character of electric power supply, only such parts, the operation of which is thereby affected, need be changed (except that in all such cases electrically released brakes shall be installed and the use of single speed induction motors for contract speeds exceeding 110 feet per minute is forbidden).

Ordinary repairs or replacements on existing installations may be made with parts of equivalent material and at least the equivalent in strength and design to those replaced, without complying with these Rules. Damaged or defective parts shall be wholly or partly replaced at the discretion of the Commissioner (except that broken parts subject to bending, tension or torsional stresses and parts upon which the support of the car depends shall not be welded).

RULE 2. HOISTWAY CONSTRUCTION FOR POWER PASSENGER, FREIGHT AND SIDEWALK TYPE ELEVATORS

2.1. Hoistway Construction.

2.1.1. Fire Resistive Hoistway Enclosures.

2.1.1.1. Hoistways to Be Fire Resistive.

Hoistway enclosures of all elevators shall comply with Section 373 of Article 18, of Chapter 5 of the Code of Ordinances, and, in factory buildings, with Title 3, Sections 261 and 270 of the Labor Law (except sidewalk elevators the travel of which does not exceed one story).

2.1.1.2. Landing Openings to Be Protected.

Landing openings in a fire resistive hoistway enclosure shall be provided with fire resistive doors, panels or fronts which comply with Section 373 of Article 18 of Chapter 5 of the Code of Ordinances, and, in factory buildings, with Title 3, Sections 261 and 270 of the Labor Law (except that they must first comply with 2.3.1.1, *Automatic Fire Doors Functioning by Heat*). For elevators whose contract load is 2,000 pounds or more, the aggregate clear width of the hoistway doors shall be at least 30 inches and the clear height shall be at least 78 inches.

2.1.1.3. Design and Construction of Projections.

Projections and hoistway doors extending inward from the general surface of the hoistway enclosure, and which are opposite a car entrance of an elevator, shall be beveled on the under side or shall be guarded with metal plates, by fireproofed wood or by wood faced with metal at least 0.125 inches thick (Number 11, United

States Gage). The angle of such bevels or guard plates shall be at least 60 degrees from the horizontal. If plates or guards are used they shall be smooth and firmly and permanently fastened to the hoistway enclosure.

2.1.1.4. Recesses.

Recesses other than landing openings in the general surface of the hoistway enclosure which are opposite a car opening shall be filled in flush with the general surface of the hoistway to comply with 2.1.2.3, *Materials for Enclosures* (except where the corresponding opening in the car enclosure is provided with solid panel car doors).

The soffit of a recess formed by or between vertical bars shall be beveled as specified for projections in 2.1.1.3, *Design and Construction of Projections*.

2.1.1.5. Strength of Hoistway Enclosures.

The hoistway enclosure adjacent to a landing opening shall be of sufficient strength to support in true alignment the hoistway doors with their operating mechanism and interlocks.

2.1.2. Non-Fire Resistive Hoistway Enclosures.

2.1.2.1. Use and Enclosure of Non-Fire Resistive Hoistway Enclosures.

Non-fire resistive hoistway enclosures shall be permitted only for sidewalk elevators the travel of which does not exceed one story. Where non-fire resistive construction is permitted, hoistways shall be enclosed to the full height of the hoistway (except on sides used for loading or unloading).

2.1.2.2. Enclosure of Hoistway Sides Used for Loading and Unloading.

The hoistways of sidewalk elevators shall be enclosed from door lintel to ceiling on the sides used for loading or unloading. The enclosure on such sides shall be at most 5 inches from the edge of the car platform.

2.1.2.3. Materials for Enclosures.

Enclosures shall be building walls, solid or latticed partitions, of incombustible material, grill work, metal grating, expanded metal or fireproofed wood. Where wire grill work is used, the wire shall be at least 0.0915 inches in diameter (Number 13 Steel Wire Gage), and the maximum size of mesh shall be 2 inches. Where expanded metal is used its minimum thickness shall be 0.094 inches (Number 13 United States Gage).

The maximum spacing between vertical bars shall be 1 inch (except where used as furring material in order to comply with 2.1.2.2, *Enclosures of Hoistway Sides Used for Loading and Unloading*). In this case the maximum spacing between vertical bars shall be 4 inches.

2.1.2.4. Netting Required on Enclosures.

When either of the following conditions exists, openings in the enclosures shall be covered with a netting of square mesh $\frac{1}{2}$ inch or less in size made of wire at least 0.0348 inches in diameter (Number 20 Steel Wire Gage):

- (1) The clearance between the enclosure and any part of the car, counterweight or any sliding landing door is less than 1 inch.
- (2) The enclosure is grill or open work having openings which will pass a $\frac{1}{2}$ -inch diameter ball, and the openings in the enclosure are less than 6 feet above any landing, stairway, floor or platform.

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2.1.2.5. Protection of Inward Projections.

Projections and hoistway doors extending inward from the general surface of the hoistway enclosure, and which are opposite a car entrance of an elevator, shall be beveled on the under side or shall be guarded with metal plates, fire-proofed wood by wood faced with metal at least 0.125 inches thick (Number 11 United States Gage). The angle of such bevels or guard plates shall be at least 60 degrees, and preferably 75 degrees, from the horizontal. If plates or guards are used they shall be smooth and firmly and permanently fastened to the hoistway enclosure.

2.1.2.6. Recesses to Be Filled.

Recesses, other than landing openings, in the general surface of the hoistway enclosure of a freight elevator, which are opposite a car opening shall be filled in flush with the general surface of the hoistway to comply with 2.1.2.3, *Materials for Enclosures*.

The soffit of a recess formed by or between vertical bars shall be beveled as specified for projections in 2.1.2.5, *Protection of Inward Projections*.

2.1.2.7. Strength of Hoistway Enclosure.

The hoistway enclosure adjacent to a landing opening shall be of sufficient strength to support in true alignment the hoistway doors and gates with their operating mechanism and interlocks.

2.1.3. Clearance Between Cars, Counterweights, and Hoistway Enclosures of Elevators.

2.1.3.1. Clearance Between Cars, Enclosures and Counterweights.

The hoistway of an elevator shall have a clearance of at least $\frac{3}{4}$ inch between the sides of the car and the hoistway enclosure and of at least 1 inch between the car and its counterweights.

2.1.3.2. Clearance Between Platforms and Landing Thresholds.

The minimum clearance between the car platforms and the landing saddles shall be at least $\frac{1}{2}$ inch for elevators using side-post construction and $\frac{3}{4}$ inch for elevators using corner-post construction. The maximum permissible clearance in each case shall be $1\frac{1}{2}$ inches.

2.1.3.3. Clearance Between Hoistway Enclosure and Loading Side of Car Platform.

The maximum permissible clearance between a hoistway enclosure and a loading side of the car platform opposite a car entrance shall be 5 inches (except when the doors are installed wholly within the hoistway in which case the maximum permissible clearance shall be $7\frac{1}{2}$ inches).

2.1.3.4. Furring.

If furring out be necessary to comply with the foregoing requirements, the furring shall conform to 2.1.2.3, *Materials for Enclosures*.

2.1.3.5. Clearance of Cars in Adjoining Hoistways.

The clearance between cars operated in adjoining hoistways shall be at least 2 inches.

2.1.4. Pits, Overtravel and Clearances.

2.1.4.1. Pits.

Pits shall be provided at the bottom of elevator hoistways.

2.1.4.2. Pit Dimensions.

A pit for sidewalk type elevators shall be at least 2 feet deep measured from the saddle of the lowest landing.

Pits for elevators having a contract speed of 100 feet per minute or less (except sidewalk type elevators), shall have a depth such that the vertical clearance between the lowest projection under the car platform and any obstruction in the pit shall be at least 24 inches when the buffers are fully compressed.

The pit for elevators having a contract speed exceeding 100 feet, but not exceeding 250 feet per minute where spring buffers are permitted and used shall be at least $3\frac{1}{2}$ feet deep measured from the saddle of the lowest landing.

The pit depth for elevators having a contract speed exceeding 250 feet per minute where oil or equivalent buffers are required, shall be at least the sum of the following two distances measured from the saddle of the lowest landing:

- (1) The length of the fully extended buffer, having a buffer stroke as determined by 3.2.2.1, *Required Types of Buffers*.
- (2) The distance between the upper surface of the car platform and the under surface of the buffer strike plate, plus 3 inches.

The above gives minimum requirements, but additional pit depth shall be provided as necessary to allow clearance for compensating rope sheaves and any vertical movement thereof, and to comply with 3.4.3, *Terminal Stopping and Safety Devices*.

When the car rests on the fully compressed buffer there shall be at least 2 feet clearance vertically between the lowest projection of the under side of the car platform (except guide shoes and aprons attached to the sill) and any obstruction in the pit, exclusive of compensating device, buffers and buffer supports (except for sidewalk type elevators).

When practical difficulties make it essential, the pit depth required above may be reduced subject to the approval of the Commissioner. If such reduction in pit depth involves precompression of either car or counterweight buffer or both, the amount of precompression so allowed shall not reduce the extension of the buffer plunger to less than 50 per cent of the buffer stroke as determined by 3.2.2.1, *Required Types of Buffers*, or to less than 18 inches, whichever is greater, and shall not permit precompression of buffers having a stroke of 18 inches or less.

In no case shall the depth of any depression or trench in the pit be included in the pit depth or clearance.

The walls of the pit shall be substantially vertical. The horizontal sectional area of the pit shall include the continuation of the horizontal clearance about the car platform, required to permit the passage of the counterweight and its guide rails, the car guide rails and any cables, ropes or tapes extending below the lower terminal landing saddle.

The floor of the pit shall be approximately level (except that this requirement may be waived if old foundation footings are encountered in a new installation and it is inadvisable to remove the footing, but the maximum permissible encroachment shall be 15 per cent of the cubical contents of the pit). The hazard due to an uneven pit should be recognized and precautions taken to minimize this hazard.

2.1.4.3. Top Clearances.

The top clearances for passenger and freight

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elevators (except sidewalk type elevators) shall be as given in 2.1.4.3.1, *Car Clearance*, and 2.1.4.3.2, *Counterweight Clearance*.

2.1.4.3.1. Car Clearance.

When the car is at its top landing, the clear distance between the top of the crosshead of the car and the corresponding point of any obstruction in the upper limit of the hoistway vertically above it, shall be at least the sum of the following four items:

1. The clearance between the bottom of the counterweight buffer and its striking block, which shall be at least 6 inches.
2. The stroke of the counterweight buffer used.
3. Two feet.
4. One-half the counterweight buffer stroke corresponding to the required governor tripping speed of the car as determined by 3.2.2.1, *Required Types of Buffers*.

Item 4 may be omitted if provision is made to eliminate the jump of the car at counterweight buffer engagement.

When the car crosshead is 2 feet from the nearest obstruction above it, no projection on the car shall strike any part of the overhead structure.

2.1.4.3.2. Counterweight Clearance.

When the car is level with the bottom landing, the clear distance between the top of the counterweight and the corresponding point of any obstruction in the upper limit of the hoistway vertically above it, shall be at least the sum of the following four items:

1. The clearance between the top of the car buffer and its striking block, which shall be at least 3 inches.
2. The stroke of the car buffer used.
3. Six inches.
4. One-half the car buffer stroke corresponding to governor tripping speed of the car as determined by 3.2.2.1, *Required Types of Buffers*.

Item 4 may be omitted if provision is made to eliminate the jump of the counterweight at car buffer engagement.

When the pit depth has been reduced as provided for in 2.1.4.2, *Pit Dimensions*, the top clearances may be modified to conform therewith subject to the approval of the Commissioner.

2.1.4.4. Overtravel for Sidewalk Type Elevators.

An overtravel of at least 6 inches at the top and at least 3 inches at the bottom shall be provided for sidewalk type elevators (except as required by 3.3.3.1, *Enclosures Required*).

2.1.5. Hoistway Windows, Bulkheads and Machine Rooms.

2.1.5.1. Window Entrances to Freight Elevators.

Windows in the hoistway enclosure walls toward which the car of a freight elevator has an entrance, shall (except in the case of elevators having car gates equipped with electric contacts) be provided with vertical bars or grating having clearances as specified in 2.1.5, *Clearance Between Cars, Counterweights and Hoistway Enclosures of Elevators*. The soffit of the recess formed by or between the vertical bars shall be beveled as specified for projections in 2.1.2.5, *Protection of Inward Projections*.

2.1.5.2. Protection of Hoistway Windows.

Windows in the hoistway enclosure less than

seven floors above the sidewalk level and less than three floors above the roof of an adjacent structure shall be fitted with vertical metal bars at least $\frac{5}{8}$ inch in diameter with maximum spacing of 10 inches.

2.1.5.3. Access to Machine Rooms, Pits and Overhead Machinery Spaces.

Safe and convenient access to the machine rooms, pits and overhead machinery spaces shall be provided. Where the entrance to machine rooms and overhead machinery spaces is more than 5 feet above the adjacent floor or roof surface, access shall be provided by means of a metal ladder or stairs having a maximum angle of incline of 60 degrees from the horizontal. Where the difference in level is 5 feet or less, vertical ladders may be used. The ladder or stairs shall be fitted with a metal hand-rail above the outside stringers. When the entrance door opens outward a platform shall be provided within 8 inches below the door sill. The platform shall be at least 2 feet wide and shall project at least 2 feet beyond the lock jamb of the door. A guard rail shall be provided at the edge of this platform (except where the ladder or stairs join the platform).

Access to pits over 5 feet deep may be provided by means of fixed vertical metal ladders. Where the buffer cylinder is over 5 feet high a fixed inclined metal ladder shall be provided.

The use of elevator machine rooms and overhead machinery spaces as public thoroughfares is forbidden. Doors to elevator machine rooms and overhead machinery spaces shall be fitted with locks which permit the door to be opened from the inside without a key.

Where it is impractical to provide access to overhead sheaves and governors from outside the hoistway, access may be provided from within the hoistway, if an emergency switch suitably marked is placed inside the hoistway which, when opened, will prevent operation of the elevator during the inspection of the overhead machinery.

2.1.5.4. Lighting.

Permanent provision for adequate artificial light shall be made in machine rooms, pits and spaces for overhead machinery of elevators. Where electric light is available the illumination shall be based on at least $\frac{1}{2}$ watt per square foot of floor area.

The machine room lighting switch, if electric light is used, or the lamp, if electricity is unavailable, shall be within easy reach of the entrance to the machine room.

Where practical the elevator service switch and the lighting switch shall be located on the lock jamb side of the machine room entrance door. Both these switches shall be of the enclosed type.

2.1.5.5. Head Room in Bulkheads.

Bulkheads of elevators shall be constructed with a minimum head room of 6 feet above the platform required in 2.1.6, *Machine Supports, Loads on Supports and Factors of Safety*.

2.1.5.6. Enclosure of and Access to Elevator Machines.

Elevator machines shall be surrounded by substantial grill work or other enclosure unless located in machine, engine or pump rooms in charge of an attendant, or unless otherwise secured against unauthorized access.

All machine enclosures shall provide 12 inches horizontal or vertical clearance as necessary to give access to such parts of the machinery as require maintenance.

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2.1.5.7. Guarding of Exposed Moving Machine Parts.

Exposed gears, sprockets, tape sheaves, and ropes and tapes passing through the secondary levels shall be guarded in accordance with the standards referred to in 2.2.1, *Standard Guards*.

2.1.6. Machine Supports, Loads on Supports and Factors of Safety.

2.1.6.1. Machine Supports.

Machinery and sheaves shall be so supported and held as effectually to prevent any part from becoming displaced. The supporting beams shall be of steel or reinforced concrete. Beams are not required under machinery supported on independent foundations or on the floor of the machine rooms, if such foundation or floor is properly constructed to support the loads.

2.1.6.2. Loads on Supports.

Loads on overhead beams and their supports shall be computed as follows:

The total load on overhead beams shall be assumed as equal to the weight of all apparatus resting on the beams plus twice the maximum load suspended from the beams.

The load resting on the beams shall include the complete weights of machine, sheaves, controller, and similar equipment. The load suspended from the beams shall include the sum of the tensions of all cables suspended from the beams.

2.1.6.3. Hanging of Machinery Underneath Supporting Beams.

The hanging of elevator machinery underneath the supporting beams at the top of the hoistway is forbidden (except for idler or deflecting sheaves with their guards and frames, devices for limiting or retarding the car speed and their accessories).

2.1.6.4. Factors of Safety.

The factor of safety for overhead beams and their immediate supporting beams, based on the ultimate strength of the material, which, if of steel, shall conform to the standard specifications of the American Society for Testing Materials, Designation, A 7-29, the loads being assumed as in 2.1.6.2, *Loads on Supports*, shall be at least the following:

For steel	4
For reinforced concrete.....	7

2.1.6.5. Allowable Deflections.

The allowable deflections of overhead beams and their immediate supports shall be as follows:

- (1) For overhead machine beams of all alternating current installations and for direct current installations where the car speed is over 150 feet per minute, the deflection under static load shall be 1/2000 of the span or less.
- (2) For overhead machine beams of direct current installations where the car speed is 150 feet per minute or less, the deflection under static load shall be 1/1666 of the span or less.
- (3) For overhead sheave beams the deflection under static load shall be 1/1333 of the span or less.
- (4) For overhead beams immediately supporting the machine beams the deflection under static load shall be 1/1666 of the span or less.

2.1.7. Platforms Under Machinery.

2.1.7.1. Materials and Strength of Platforms.

A flooring of iron, steel, or reinforced concrete capable of sustaining a concentrated load

of 300 pounds on any 4 square inches of the structure, shall be provided at the top of the hoistway, either immediately below the sheaves or at the level of the top of the machine beams (except in the case of sidewalk type elevators). It is not required that the platform or its supports shall be capable of supporting 300 pounds on every 4 square inches of its area simultaneously.

If the floor consists of a metal grating, the mesh or opening between the bars shall reject a ball 1½ inches in diameter.

2.1.7.2. Extent of Grating or Flooring.

The grating or flooring shall fill the entire hoistway when the cross sectional area is 50 square feet or less; otherwise the platform shall extend at least 2 feet beyond the general contour of the sheaves or machines, and to the entrance to the hoistway at or above the level of the platform.

2.1.7.3. Handrails and Toeboards Required.

If the platform does not entirely cover the hoistway the open or exposed sides shall be provided either with a standard handrail and toeboard or with a screen and railing at least 42 inches high.

2.1.7.4. Deflecting Sheave Cradles.

Where no slab or grating complying with 2.1.7.1, *Materials and Strength of Platforms*, is provided over the entire area of the hoistway below the deflecting or secondary sheaves extending below the machine level, they shall be provided with cradles which comply with the requirements for guards referred to in 2.2.1, *Standard Guards* (except in the case of sidewalk type elevators).

2.1.8. Stops for Counterweights.

Where winding drum machines are used a permanent beam or bar shall be provided at the top of the counterweight guides and beneath the counterweight sheaves to prevent the counterweights from being drawn into the sheaves. It shall be of such strength that the cables will be pulled out of the sockets before there is any undue deflection of the beam.

The bars or beams shall be so located that the center of resistance is in line with the center of gravity of the counterweight or, if more than one stop is used, they shall be located symmetrically with respect to the counterweight.

2.1.9. Pipes and Wiring.

2.1.9.1. Electrical Conductors.

The electrical conductors installed in or under an elevator or counterweight hoistway (except the flexible cables connecting the car with the fixed wiring) shall be encased in metal conduits.

2.1.9.2. Electrical Conduits or Cables to Be Continuous.

Electrical conduits or cables shall be continuous between outlets or terminals situated entirely outside the hoistway; and openings, terminals, outlets or junctions within the hoistway are forbidden (except in those used to furnish or control power, light, heat or signals for the elevator hoistway and hoistway doors). The interruption of long runs to support or pull in conductors is authorized and pull boxes may be installed for this purpose.

Pipes, conduits and armored cables shall be securely fastened to the hoistway construction.

2.1.9.3. Pipe Installations.

The installation of soil, waste or vent pipes and pipes conveying gases or liquids which if discharged into the hoistway would endanger

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life, in or under any elevator or counterweight hoistway is forbidden. Low pressure steam or hot water pipes used only for heating the elevator hoistways may be installed in the hoistways.

2.1.9.4. Voltage of Car Control Systems.

No part of any electric circuit having a rated system or circuit voltage in excess of 750 volts direct current, or 550 volts alternating current, shall be used for any control or operating circuit. Circuits of higher rated system or circuit voltage may be used in machine rooms or bulkheads for the operation of motors, provided all operating and signal wiring is thoroughly insulated from such power circuits and all machine frames and handropes are permanently grounded.

2.1.9.5. Electric Wiring.

Live parts of electrical apparatus in elevator hoistways shall be suitably enclosed to protect against accidental contact. Metal coverings shall be permanently grounded. Wiring shall comply with the requirements of the Department of Water Supply, Gas and Electricity.

2.1.10. Thoroughfare.

2.1.10.1. Thoroughfares Under Elevator Hoistways or Counterweights.

Thoroughfares under elevator hoistways or counterweights are forbidden unless:

- (1) Buffers are provided conforming to the requirements of 3.2.2, *Car and Counterweight Buffers for Elevators*; and
- (2) The car and counterweights are provided with safety devices conforming to the requirements of 3.3.5, *Car and Counterweight Safeties and Speed Governors*; and
- (3) A structure is provided under the hoistway sufficiently strong to withstand without injury the impact of the car with contract load or the impact of the counterweight when either is descending at contract speed, or at governor tripping speed where a governor-operated safety is used.

2.2. Hoistway Guards and Screens.

2.2.1. Standard Guards.

The standard railings mentioned in these Rules shall be of metal and shall be between 40 and 46 inches high with an intermediate rail midway between the top rail and floor. The uprights and handrail shall be made of angles measuring at least 2 by 2 inches or the equivalent and the midrail of angles measuring at least 1 by 2 inches.

The toeboards mentioned in these Rules shall be of metal at least as thick as Number 16 United States Gage, at least 6 inches high or of fireproofed wood at least 1 by 6 inches.

Guards for cables and machinery mentioned in these Rules shall conform to the Safety Code for Mechanical Power-Transmission Apparatus of the American Standards Association, 1927.

2.2.2. Hatch Covers for Sidewalk Elevators.

Where the top hatch opening of sidewalk elevators is wholly or partially outside the building wall, the hatch covers shall be of the hinged type or the vertically lifting type and shall be capable of sustaining a live load of 300 pounds per square foot. The maximum permissible dimensions of sidewalk openings shall be 5 feet at right angles to and 6 feet parallel to the building line (except by permission of the Borough President). The side of the opening nearest the building shall be 4 inches or less from the building wall (except that where conditions make this impractical this distance may be increased subject to the approval of the Commissioner).

Where hinged type covers are used the line of the

hinges shall be at right angles to the building line. Where the covers open toward any obstruction the space between the fully opened cover and such obstruction shall be at least 18 inches. Where vertically lifting covers are used there shall be a clearance of at least 2 feet between the cover and any obstruction above it when the elevator is at the top of its overtravel.

Hatch covers shall be self-closing and the fastening, or holding open of the covers when the car is away from the top landing, is forbidden (except where the hatch opening is in an area inaccessible to the public).

Where the top hatch opening of sidewalk elevators is wholly inside the building wall, hinged or vertically lifting type covers may be used, or doors may be provided complying with 2.3.5, *Hoistway Doors for Freight Elevators*, and shall be provided with interlocks complying with 2.3.2, *Door Interlocks*.

22.3. Counterweight Runway Enclosures.

2.2.3.1. Counterweight Runways Outside of the Hoistway.

Runways for counterweights located outside of the elevator hoistway shall be solidly enclosed throughout their height (except that when the runway is located outside of the structure it shall be enclosed to a height of at least 7 feet from the ground).

2.2.3.2. Counterweight Runways Inside of the Hoistway.

Each counterweight runway of elevators located in the elevator hoistway shall be enclosed from a point 12 inches above the floor of the pit to a point at least 7 feet above the floor of its own pit and any other pit adjacent to such counterweight runway (except where compensating chains or cables which practically compensate for the weight of the hoisting cables are attached to the counterweight). In this case counterweight enclosures may be omitted on the side facing the elevator. Such enclosures shall be made of metal at least as thick as Number 16 United States Gage.

2.2.3.3. Access to Counterweight Runways.

Access shall be provided for inspection, maintenance and repair of all counterweights and cables. Doors to counterweight runway enclosures shall be self-closing. If the counterweight is located in the same hoistway as the car and can be inspected at mid-travel from the car, hinged sections are unnecessary in the counterweight screen.

2.2.4. Cable Enclosures.

Where cables pass through floors outside the hoistway enclosures, such cables shall be guarded to a height of at least 6 feet from each floor with a standard power transmission guard. The floor openings shall be not greater than necessary for the free passage of the cables.

2.3. Landings.

2.3.1. Hoistway Doors for Passenger Elevators.

2.3.1.1. Automatic Fire Doors Functioning by Heat.

No automatic fire door, the functioning of which is dependent on the action of heat, shall lock any landing opening in the hoistway enclosure of any passenger elevator or any exit leading from any hoistway landing door to the outside of the structure.

2.3.1.2. Protection of Landing Openings.

Landing openings in passenger elevator hoistway enclosures shall be protected by doors sliding horizontally or vertically, combination sliding and swinging doors, swinging doors, or by counterbalanced doors.

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Where vertically sliding or counterbalanced doors are used the car gate or door and the hoistway doors shall be so interlocked that the car gate or door cannot start to open until the landing door is locked in its fully opened position and so that the landing door cannot start to close until the car gate or door is fully closed. (See 2.1.1.2, *Landing Openings to Be Protected*).

2.3.1.3. Clearances of Hoistway Doors.

The maximum distance between the hoistway side of the hoistway door opposite the car opening and the hoistway edge of the landing saddle shall be 4 inches.

For automatic-operation elevators the maximum distance between the hoistway side of the hoistway door opposite the car opening and the hoistway edge of the landing shall be 1 inch for swinging doors and 2 inches for sliding doors.

For existing installations of automatic-operation elevators accessible to the general public, where the clearance exceeds 1½ inches for swinging doors or 2½ inches for sliding doors, the space between the hoistway side of the hoistway door and the hoistway edge of the landing saddle shall be filled in immediately by suitable means.

If the door slides in two or more sections the specified dimension applies to that section which closes against the lock jamb.

No hardware (except that required for interlocking, indicator and signal devices) shall project into the hoistway beyond the line of the landing saddle.

2.3.1.4. Hoistway Door Interlocks.

Hoistway door interlocks which conform to 2.3.2, *Door Interlocks*, shall be used on the hoistway doors of passenger elevators. The hoistway doors of hydraulic passenger elevators shall also be provided with a door closer or with a device which will compensate for the creeping of the car away from the landing caused by leakage in the valve or in the cylinder.

2.3.1.5. Emergency Releases Required on Hoistway Doors for Passenger Elevators.

Provision shall be made to render the car operative independent of the position of the hoistway doors in case of fire, panic, or other emergencies, by means of an emergency release conforming to 2.3.4, *Emergency Releases* (except that elevators which can be started from a landing shall not be provided with an emergency release unless equipped for dual operation in which case an emergency release shall be installed, but shall be so arranged that when operating as an automatic operation elevator the emergency release shall be inoperative).

2.3.1.6. Hand Opening of Hoistway Doors.

Hoistway doors shall be arranged to be opened by hand from the hoistway side (except when locked "out of service"). Neither the main exit doors nor the doors at the lower terminal landing shall be locked "out of service" while the elevator is in operation.

Hoistway doors for passenger elevators shall be so arranged that it is unnecessary to reach back of any panel, jamb, or sash to operate them.

2.3.1.7. Opening of Hoistway Doors.

If the entire control of a passenger elevator is located on the car, the hoistway doors shall be so arranged that they cannot be opened from the landing side (except as provided in 2.3.1.8, *Emergency Landing Openings and Keys*).

If the control is not located entirely on the car, the hoistway doors shall be so arranged that, unless the car is at the landing, the doors cannot be opened from the landing side (except as provided in 2.3.1.8, *Emergency Landing Openings and Keys*).

2.3.1.8. Emergency Landing Openings and Keys.

A service key shall be provided to open the hoistway door from the landing side at the landing where the car is normally parked out of service. This key shall open this door only when the car is at the landing and shall open no other hoistway door.

An emergency key shall be provided which will, irrespective of the position of the car, open from the landing side the hoistway door at the landing where the car is normally parked, the lowest landing, and such other hoistway doors and emergency doors as are specified below. It shall open no other hoistway door. Such an emergency key shall be placed in a break glass receptacle clearly marked "FOR FIRE DEPARTMENT AND EMERGENCY USE ONLY," at the landing of each elevator or group of elevators that is nearest the main entrance to the structure.

For an elevator operating in a blind hoistway, the first hoistway door above the blind portion of the hoistway shall be so arranged that it can be opened from the landing side by the emergency key specified above, irrespective of the position of the elevator car.

If an elevator is installed in a single hoistway, the emergency key shall open all hoistway doors and where the elevator is installed in a single blind hoistway, then provision shall be made for emergency hoistway doors at every third floor, but not more than 36 feet apart, to permit access to the elevator in the blind portion of the hoistway.

Emergency doors shall be at least 30 inches wide and 6 feet 6 inches high (clear opening), and shall be easily accessible and free from fixed obstructions. Such doors shall be self-closing and shall not be openable from the hoistway side, but need not be provided with interlocks or electric contacts. The emergency key required above shall open all such emergency hoistway doors.

2.3.1.9. Hangers for Power Operated Hoistway Doors.

Hangers for power operated hoistway doors shall be designed to withstand a downward thrust of five times and an upward thrust of four times the weight of the door.

2.3.1.10. Hanger Stops and Guards.

Means shall be provided to prevent hangers for all sliding hoistway doors from jumping the tracks. Stops shall also be provided to prevent the hanger carriage from leaving the ends of the track, or suitable stops may be provided on the door only.

2.3.1.11. Vision Panels.

For elevators which can be operated from outside of the hoistway, hoistway doors may be provided with a vision panel. Such panels shall be of clear wire glass with a maximum area of 80 square inches.

2.3.2. Door Interlocks.

2.3.2.1. Door Unit and Hoistway Unit Systems of Door Interlocks.

These Rules recognize two systems of door interlocks: (1) THE DOOR UNIT SYSTEM,

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in which the interlock prevents the operation of the elevator machine to move the car away from the landing unless the hoistway door at that landing at which the car is stopping, or is at rest, is locked in the closed position.

(2) **THE HOISTWAY UNIT SYSTEM**, in which the interlocks prevent the operation of the elevator machine to move the car away from the landing unless all its hoistway doors are locked in the closed position.

The interlock shall permit the operation of the car when the emergency release is in temporary use, or when the car is being moved by a car leveling device.

In both of these interlock systems the interlock shall prevent the opening of the hoistway door from the landing side (except by a special key) (See Rules 2.3.1.7, *Opening of Hoistway Doors*, and 2.3.1.8, *Emergency Landing Openings and Keys*), unless the car is at rest within the landing zone; or is coasting through the landing zone with its operating device in the "STOP" position.

2.3.2.2. Use of the Door Unit System.

The door unit interlock system may be used only where there is a regular operator in the car and where the elevator can be operated only from inside the car.

2.3.2.3. Closed Position of Hoistway Doors.

For elevators employing a type of operation that does not require the presence of an operator in the car, the hoistway door shall be considered in the closed position only when the door is within $\frac{3}{8}$ inch of contact with the door jamb, or, in the case of bi-parting doors, when the doors are within $\frac{3}{8}$ inch of contact with each other. (See also Multiple Dwelling Law, Section 51.)

For elevators where the hoistway door is not equipped with a door closer, the door shall be considered in the closed position only when the door is within $\frac{3}{8}$ inch of contact with the door jamb, or in the case of bi-parting doors, only when the doors are within $\frac{3}{8}$ inch of contact with each other. (See also Multiple Dwelling Law, Section 51.)

Where the hoistway door of an elevator requiring the presence of an operator in the car is equipped with a door closer the door shall be considered to be in the closed position (and the car may be started) when the door is within 4 inches of being fully closed against the jamb (or in the case of a bi-parting door when the sections are within 4 inches of contact with each other), if at this position and any other up to full closure as defined in this section, the door cannot be opened from the landing side more than 4 inches from the jamb (or the sections more than 4 inches from each other in the case of a bi-parting door), provided the door closer is of a type which will eventually close the door to the fully closed position as defined in this section, and lock it in this position. (See also Multiple Dwelling Law, Section 51.)

2.3.2.4. Design of Interlocks.

The interlocks for all hoistway doors shall be so designed that the door is locked in the closed position as defined in 2.3.2.3, *Closed Position of Hoistway Doors*, before the car can be operated.

2.3.2.5. Use of Springs and Electric Circuits in Interlocks.

The functioning of door interlocks to prevent the movement of the car shall be independent of the action of a spring in tension, or of the closing of an electric circuit. If springs are used

they shall be in compression. If an electric circuit is used its interruption shall prevent the movement of the car.

2.3.2.6. Tests and Approvals of Interlocks.

Each type and make of door interlock shall be approved by the Commissioner on the basis of the engineering tests listed in 8.1, *Tests of Interlocks*, made by or under the supervision of a competent designated laboratory. Approved interlocks shall be suitably marked for identification as provided in 2.3.2.7, *Identification of Interlocks*.

2.3.2.7. Identification of Interlocks.

Approved interlocks shall be suitably and plainly marked for identification. The marking shall be permanent and so placed as to be readily visible when the interlocks are mounted in position. Auxiliary appliances forming a part of, or used in conjunction with, an interlock, shall be similarly marked. Marking shall include the following: Manufacturer's name or trade-mark, type or style letter or number, and rated voltage.

2.3.3. Hoistway Door Electric Contacts.

2.3.3.1. Door Unit and Hoistway Unit Systems of Contacts.

These Rules recognize two systems of hoistway-door electric contacts:

1. The Door Unit System in which the contact prevents the normal operation of the car unless the hoistway door at which the car is standing is in the closed position.
2. The Hoistway Unit System in which the contact prevents the normal operation of the car unless all its hoistway doors are in the closed position.

The contact shall permit the operation of the car when the emergency release is in temporary use, or when the car is being moved by a car-leveling device.

2.3.3.2. Use of Door Unit System.

The Door Unit System may be used only on elevators where there is a regular operator in the car, and where the elevators can be operated only from inside the car.

2.3.3.3. Closed Position of Electric Contacts.

Where the hoistway-door contacts are not a part of an interlock system, the door shall be considered in the closed position when within 2 inches of full closure against the jamb. (See 2.3.5.4, *Interlocks and Electric Contacts*, third paragraph.)

2.3.3.4. Design of Electric Contacts.

Hoistway-door contacts shall be designed so that they are positively opened by a lever or other device attached to and operated by the door.

2.3.3.5. Use of Springs or Electric Circuits in Contacts.

The functioning of a hoistway-door electric contact to prevent the movement of the car shall be independent of the action of a spring or springs in tension, and of the closing of an electric circuit. If springs are used, they shall be in compression. The interruption of electric circuit shall prevent the movement of the car.

2.3.3.6. Tests and Approvals of Electric Contacts.

Each type and make of hoistway-door electric contact shall be approved by the Commissioner on the basis of the engineering tests listed below made by, or under the supervision of, a competent designated laboratory.

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1. Endurance Test.
2. Current-Interrupting Test.
3. Test in Moist Atmosphere.
4. Misalignment Test.
5. Insulation Test.

These tests shall be made according to the procedure outlined in 8.1, *Tests of Interlocks*.

2.3.3.7. Identification of Approved Contacts.

Approved contacts shall be suitably marked for identification as called for in 2.3.2.7, *Identification of Interlocks*.

2.3.4. Emergency Releases.

2.3.4.1. Location and Covering of Emergency Releases.

The emergency release shall be in the car, plainly visible to the occupants of the car, shall be easily accessible to the operator, and shall be provided with a breakglass cover and with means for breaking the glass.

2.3.4.2. Operative Position of Emergency Releases.

To operate the car under emergency conditions, it shall be necessary for the operator to hold the emergency release in the operative position.

2.3.4.3. Design and Construction of Emergency Releases.

Emergency releases shall be constructed so that they cannot be readily tampered with, or "plugged" in the release position. Rods, connections, and wiring used in the operation of the emergency release, which are accessible from the car, shall be enclosed and protected from injury.

2.3.4.4. Tests and Approvals of Emergency Releases.

Each make and type of emergency release shall be tested and approved by the Commissioner as to compliance with 2.3.4.1, *Location and Covering of Emergency Releases*; 2.3.4.2, *Operative Position of Emergency Releases*; and 2.3.4.3, *Design and Construction of Emergency Releases*, and as to meeting the requirements of 8.1.6, *Insulation Test*.

2.3.5. Hoistway Doors for Freight Elevators.

2.3.5.1. Doors Required.

Each landing opening in a freight elevator hoistway enclosure shall be equipped with a door which, if not within the hoistway, shall be set within 4 inches of the face of the landing saddle (except at the upper landing of one story sidewalk elevators and such other openings as are covered in 2.3.5.3, *Size of Hoistway Doors*).

Doors shall comply with the fire resistive requirements for doors in such enclosures.

2.3.5.2. Strength of Hoistway Doors.

Hoistway doors shall withstand a force of 75 pounds applied perpendicularly to the door at any point without being sprung from their guides.

2.3.5.3. Size of Hoistway Doors.

Hoistway doors when closed shall guard the full width of the landing openings and shall extend the full height from the landing saddle to the top of the landing opening (See 2.1.1.2, *Landing Openings to Be Protected*).

2.3.5.4. Interlocks and Electric Contacts.

Hoistway doors for freight elevators (except hatch covers for sidewalk elevators) shall be provided with interlocks or electric contacts and locks. Interlocks and electric contacts shall conform to the requirements of 2.3.2, *Door Interlocks*, and 2.3.3, *Hoistway Door Electric Contacts*, respectively.

Where electric contacts are provided on a hoistway door and are not a part of an interlocked system the lock or latch and contact shall be so arranged as to insure the door being in a position to be locked or latched when or before the contact is closed.

Door electric contacts and door locks or latches shall be so located as normally to be inaccessible from the landing side.

2.3.5.5. Emergency Releases Required on Hoistway Doors for Freight Elevators.

Provision shall be made to render the car operative independent of the position of the hoistway doors in case of fire, panic or other emergencies, by means of an emergency release conforming to 2.3.4, *Emergency Releases* (except that elevators which can be started from a landing shall not be provided with an emergency release unless equipped for dual operation in which case an emergency release shall be installed, but shall be so arranged that when operating as an automatic operation elevator the emergency release shall be inoperative). No emergency releases shall be required on sidewalk elevators.

2.3.5.6. Vision Panels.

Hoistway doors for elevators which can be operated from outside the hoistway may be provided with a vision panel. Such panels shall be of clear wired glass, with a maximum area of 80 square inches.

2.3.6. Door Counterweight Enclosures.

Door counterweights shall run in metal guides from which they cannot become dislodged, or shall be boxed in. The bottoms of the guides or boxes shall be so constructed as to retain the counterweight if the counterweight rope breaks.

2.3.7. Landings for Passenger and Freight Elevators.

2.3.7.1. Landing Saddle.

The landing saddle shall be constructed and maintained so that persons will not readily slip thereon.

2.3.7.2. Railroad Tracks.

Where there is a railroad track upon any elevator landing, the tops of the rails shall be flush with the floor for a distance of 6 feet from the threshold.

2.3.8. Lighting at Landings.

When the car of an elevator is in service at the landing, the landing edges of the saddle and car platform shall be plainly visible. The illumination on the landing saddle shall be at least 1 foot candle.

RULE 3. POWER PASSENGER, FREIGHT AND SIDEWALK TYPE ELEVATORS

3.1. Limitations for Platform and Sidewalk Type Elevators.

3.1.1. Platform Elevators Forbidden.

The use of platform elevators is forbidden.

3.1.2. Sidewalk Type Elevators.

Sidewalk type elevators shall comply with the requirements of 3, *Power Passenger, Freight and Sidewalk Type Elevators*, unless specifically exempted.

The maximum contract speed of sidewalk type elevators shall be 35 feet per minute and the maximum platform area shall be 50 square feet.

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3.2. Guides, Buffers and Counterweights for Passenger, Freight and Sidewalk Type Elevators.

32.1. Guide Rails.

3.2.1.1. Material.

Car and counterweight guide rails for elevators shall be of steel.

3.2.1.2. Fastenings and Joints.

Guide rails shall be securely fastened with iron or steel brackets (or their equivalent) of such strength, design and spacing that the deflection of the guide rails and their fastenings shall be $\frac{1}{4}$ inch or less under normal operation.

When rail brackets used in connection with freight elevators or sidewalk type elevators are so located that they receive the full thrust of the guide shoes when the car platform is level with the landing, the thrust due to concentrated loads on the car may be of high magnitude. Special attention shall therefore be given to the attachment of the brackets in such cases. Where the distance between rail supports is greater than 14 feet the rails shall be suitably backed or bracketed to secure sufficient rigidity for satisfactory operation.

Joints of guide rails (except for sidewalk elevators the travel of which is 15 feet or less) shall be accurately machined with tongue and groove through the webs at right angles to the base and through the flanges parallel to the base, and fitted with fishplates each secured with at least four substantial bolts through each rail; or accurately machined with tongue and groove through the webs and with the backs of the flanges, where the fishplates bear, accurately machined at right angles to the tongue and groove and fitted with finished fishplates each secured with at least four substantial bolts through each rail.

Guide rails shall withstand the application of the "safety" when stopping a fully loaded car or the counterweight.

3.2.1.3. Size of Guide Rail Fastenings and Bottoming of Guide Rails.

Guide rails and their fastenings shall be secured in position by clips or through bolts of at least the sizes given in the following table:

SIZE OF GUIDE RAIL FASTENINGS	
Weight of Rails in Pounds per Foot	Diameter of Bolts In Inches
$6\frac{1}{2}$ - $7\frac{1}{2}$	$\frac{1}{2}$
14	$\frac{5}{8}$
$22\frac{1}{2}$	$\frac{3}{4}$
30	$\frac{3}{4}$

Bolt holes in steel beams for bracket bolts shall not exceed the diameter of the bolt by more than $\frac{1}{16}$ of an inch. Such holes for bolts shall be either drilled, punched or cut with a torch. If cut with a torch, bolt holes shall be cut of smaller diameter and drifted to the required diameter.

The guide rails shall be extended at the top and bottom to prevent guide shoes running off within the limits of the bottom overtravel and the top clearance.

3.2.1.4. Cast Iron Guide Rails Forbidden.

The use of cast iron guide rails is forbidden.

3.2.1.5. Weight of Steel Guide Rails.

The weights of steel guide rails (except for sidewalk elevators the travel of which is 15 feet or less) shall be at least those given in the following table:

Maximum Permissible Total Weight of Car and Load, or Total Weight of Counterweights Per Pair of Rails (Pounds)	Minimum Weight of Each Car (Pounds per Foot)	Minimum Weight of Each Counterweight Guide Rail (Pounds per foot)		
		With Guide Rail Safeties	Without Guide Rail Safeties 1 to 1 Roping	Without Guide Rail Safeties 2 to 1 Roping
4,000	$7\frac{1}{2}$	$7\frac{1}{2}$	$6\frac{1}{2}$	$6\frac{1}{2}$
15,000	14	14	$7\frac{1}{2}$	$7\frac{1}{2}$
27,500	$22\frac{1}{2}$	$22\frac{1}{2}$	$7\frac{1}{2}$	14
40,000	30	30	$7\frac{1}{2}$	14

Where $7\frac{1}{2}$ -pound rails are effectively bracketed or tied at intervals of 6 feet or less, the load permitted under the preceding table may be doubled for counterweights with guide rail safeties. Where $7\frac{1}{2}$ -pound rails are effectively bracketed or tied at intervals of $7\frac{1}{2}$ feet or less, the load permitted under the preceding table may be increased to 5,000 pounds for cars with guide rail safeties.

The maximum weights of car and load as given in the preceding table for each pair of guide rails are intended to apply when only one safety device gripping both rails in a horizontal plane is used. When two such safety devices are used on the same guide rail and arranged so that both will be applied at practically the same time and with substantially equal retarding force the total weight may exceed that shown in the table but shall in any case be within the maximum weight given in the table multiplied by the following factors based on distance between safeties:

Car Duplex Safeties	
Distance between safeties in feet	Multiply maximum load given in the preceding table by
18 (or over)	2.0
15	1.83
12	1.67
9	1.50
6	1.33
Counterweight Duplex Safeties	
15 (or over)	2.0
10	1.67
5	1.33

3.2.1.6. Use of Single Pair of Car Guide Rails.

Whenever practicable a single pair of car guide rails shall be used for passenger elevators.

3.2.2. Car and Counterweight Buffers.

3.2.2.1. Required Types of Buffers.

Buffers of the spring, oil or equivalent type shall be installed under the cars of elevators (except sidewalk elevators having a travel of 15 feet or less).

Spring buffers or their equivalent may be used with elevators having a contract speed of 250 feet per minute or less.

Oil buffers or their equivalent shall be used with elevators having a contract speed greater than 250 feet per minute. The minimum total stroke of oil buffer shall be based on an average retardation of 32.2 feet per second per second, based on governor tripping speed.

Where speed retarding devices independent of normal and final stop switches are provided for

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retarding car or counterweight or both to a definite limiting speed before the buffer is engaged, the required corresponding buffer stroke need be based only on retardation from such speed rather than from governor tripping speed. Such speed retarding devices shall be so designed that the retarding force is quickly, but gradually applied, substantially constant, and the retarding distance is at least the sliding distance specified in 3.3.6, *Car Safety Test*, for Undercar Safeties. For contract car speeds in excess of 500 feet per minute the corresponding reduced buffer stroke shall be at least 18 inches.

3.2.2.2. Oil Gages Required.

Oil buffers shall be provided with means for gaging the amount of oil in them.

3.2.2.3. Location of Car Buffers.

Buffers shall preferably be located symmetrically with reference to the center of the car.

3.2.2.4. Location of Counterweight Buffers.

Counterweight buffers similar to those required for cars shall be installed symmetrically under the counterweights of passenger and freight elevators.

3.2.2.5. Form of Buffer Test.

Buffers shall be tested by running on to them with contract load at contract speed with final limit switches operative (except as follows:

If the buffer stroke has been reduced due to the use of a speed retarding device as permitted in 3.2.2.1, *Required Types of Buffers*, the car or counterweight shall be run on the buffer at the speed corresponding to the buffer stroke used).

3.2.2.6. Buffer Compression Switch.

Where the car or counterweight oil buffer is compressed more than 25 per cent of its stroke when the car is level with the lower or upper terminal landing, respectively, buffers shall be provided with a switch which shall prevent movement of the car, in a direction to compress the buffers at a speed greater than one-half the contract speed until the buffers are restored to their normal position.

3.2.2.7. Tests and Approvals of Buffers.

Each type and size of oil buffer used shall be approved by the Commissioner on the basis of the engineering tests listed in 8.2, *Tests of Buffers*, made by or under the supervision of a competent designated testing laboratory. Approved buffers shall be marked by the manufacturer with the range of speed and load for which they have been approved.

3.2.3. Counterweights.

3.2.3.1. Counterweight Guides Required.

Counterweights shall run in guides.

3.2.3.2. Clearance Between Counterweights and Protection of Counterweight Cables.

If two counterweights run in the same guides the car counterweight shall be above the machine counterweight and there shall be a clearance of at least 8 inches between the counterweights. The cables of the machine counterweight shall be covered or protected by metal or fibre sleeves firmly attached to the cable. These sleeves shall be at least 6 inches longer than the car counterweight. The ends of the sleeves shall be carefully reamed before being placed on the cables.

3.2.3.3. Independent Car Counterweights.

If an independent car counterweight is used it shall not be of sufficient weight to cause undue slackening in any of the cables during acceleration or retardation of the car.

3.2.3.4. Counterweight Tie-rods and Suspension Members.

Counterweight sections, however carried, shall be secured by at least two tierods passing through holes in all the sections, or by other approved means. The tierods and suspension rods shall have lock nuts and cotter pins at each end. Suspension rods shall be free from welds.

3.3. Car Construction and Safeties for Passenger, Freight and Sidewalk Type Elevators.

3.3.1. Car Construction.

3.3.1.1. Materials for Car Frames and Platforms.

Elevator cars shall have metal car frames and metal outside frames of platforms. Where wood platform flooring is used, the under side of car platforms shall be covered with metal at least as thick as Number 27 United States Gage (except where fireproofed wood is used, and except for sidewalk elevators the travel of which does not exceed one story).

3.3.1.2. Allowable Working Stresses for Car Frame Members.

The stresses of rolled steel sections or annealed cast steel in the construction of car frames and platforms, based on the static load imposed on them, shall be within the values given in the following table for steels meeting the standard specifications of the American Society for Testing Materials, Designation, A 7-29, for steel having an ultimate strength of from 55,000 to 65,000 pounds per square inch for rolled sections or cast steel, and 46,000 to 56,000 pounds per square inch for rivets. Elevators of the plunger type which are without counterweights are exempted from these requirements.

Allowable Working Stresses for Car Frame Members

(For steels meeting the standard specifications of the American Society for Testing Materials, Designation, A 7-29)

Passenger Elevators

Loading	Maximum Allowable Stress (Pounds per square inch)	Basis
Tension	10,000	Net area
Bending	10,000	Gross section
Shear on shop rivets.....	8,000	Net area
Bearing of shop rivets.....	16,000	Net area
Shear on bolts in clearance holes	7,000	Gross section
Bearing on bolts in clearance holes	14,000	Gross section
Bolts or threaded portions of rods in tension.....	6,000	Gross section
Compression	11,700-49 L/R	Gross area

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Freight Elevators

Tension	12,000	Net area
Bending of car frame member and platform framing at entrance	12,000	Gross section
Bending of platform stringers	15,000	Gross section
Shear on shop rivets.....	9,500	Net area
Bearing of shop rivets.....	19,000	Net area
Shear on bolts in clearance holes	8,000	Gross section
Bearing on bolts in clearance holes	16,000	Gross section
Bolts or threaded portions of rods in tension.....	8,000	Gross section
Compression	14,000-59 L/R	Gross area
L=effective free length of member in inches.		
R=least radius of gyration in inches.		

3.3.1.3. Special Steels.

For steels of greater strength the allowable working stresses may be increased proportionately, based on ultimate strength.

3.3.1.4. Use of Cast Iron and Cast Steel.

The use of cast iron in the construction of any member of car frames or platforms subject to tension, torsion or bending is forbidden (except for compensating cable anchorages, releasing carriers and guide shoe stands). Plunger heads in tension shall be cast steel.

3.3.1.5. Use of Materials Other Than Steel.

When material other than steel is used in the construction of car frames or platforms, the maximum allowable working stress shall be 13 per cent of the ultimate strength of the material for passenger and 15.6 per cent for freight elevators.

3.3.1.6. Reductions in Section and Reinforcement of Holes.

Local reductions in section of a member in bending through bolt holes for the fastening of hoist-rope or compensating rope hitches, auxiliary apparatus on the cross head or safety plank, sheave boxes, and the fastening of platform to safety plank, may be disregarded. Holes in webs of cross heads for sheave pins shall be reinforced by means of a plate at least 50 per cent thicker than the web and riveted to it.

3.3.1.7. Deflection of Cross-head and Safety Planks.

The deflection of cross-head and safety planks shall be $\frac{1}{8}$ inch or less for each 10 feet of span under static conditions with the contract load substantially uniformly distributed over the car platform (except for sidewalk elevators the travel of which is 15 feet or less).

3.3.1.8. Slenderness Ratio.

The slenderness ratio L/R for members not normally subject to compression shall be within 200; for members normally subject to compression this ratio shall be within 120 (except for sidewalk elevators the travel of which is 15 feet or less). Loadings resulting from buffer or safety operation are abnormal loadings.

3.3.1.9. Treatment of Occasional Stresses.

The stresses which occur when the load is moved from the hoistway landing to its proper position on the car of freight elevators, especially heavy duty freight elevators, may be dealt with as stresses which occur only occasionally in conjunction with the maximum live load, and may exceed the stresses given in 3.3.1.2, *Allowable Working Stresses for Car Frame Mem-*

bers, for freight elevators so long as the deflection of car frame or platform members is considered.

3.3.1.10. Car Platform Aprons.

When car leveling devices are used, the car platform shall be provided with a substantial vertical apron flush with its outer edge, extending a sufficient distance below the car floor so that there shall be no horizontal opening into the hoistway while the car is within the landing zone and the hoistway door is fully or partially open.

3.3.1.11. Bow Irons and Stanchions for Sidewalk Elevator Hatch Covers.

Sidewalk elevators using hinged hatch covers shall be provided with bow irons at least $7\frac{1}{2}$ feet high (except that, where necessary to permit closing the covers, the Commissioner may permit lower bow irons).

Sidewalk elevators using vertically lifting covers shall be provided with stanchions framed together at the upper ends of sufficient strength to lift and support the hatch cover. Stanchions shall be provided with suitable buffer springs, and shall be of such height as to permit the sidewalk hatch cover to be completely closed when the car platform is level with the first landing below the sidewalk.

3.3.1.12. Guide Shoes for Sidewalk Type Elevators.

Guide shoes for sidewalk type elevators shall be at least 24 inches long unless two sets of shoes are used spaced 18 inches on centers.

Where vertical lift covers are used on sidewalk elevators the vertical distance between the centers of the guide shoes remaining on the guide rails when the car platform is level with the sidewalk shall be at least one-third of the height of the hatch cover stanchions.

Where single guide shoes 24 inches long are used, 6 inches of the shoe may be off the rails when the platform is level with the top landing.

3.3.1.13. Railroad Track.

If there is a railroad track on the elevator car, the tops of the rails shall be flush with the car floor.

3.3.1.14. Lighting.

Elevator cars shall be lighted at all times when in use (except sidewalk elevators). Electric light shall be used if available. The minimum illumination shall be 1 foot candle at the landing edge of the car platform. A light socket or receptacle shall be provided under the car platform and on top of the car for inspection purposes (except sidewalk elevators).

3.3.1.15. Use of Glass.

The use of glass in elevator cars is forbidden (except to cover certificates, directories, lighting fixtures and appliances necessary for the operation of the car and as a vision panel in the car door). The use of any piece of glass exceeding 1 square foot in area is forbidden unless laminated or otherwise shatter-proof, but the total area of such glass used in the car in connection with lighting fixtures whether in one or more pieces, shall be at most 4 square feet.

3.3.1.16. Design of Lighting Fixtures for Passenger Elevators.

Lighting devices, or luminaires, for passenger elevators provided with glass or metal shades, or reflectors, shall be of the railroad-train-lighting type with integral base, husk and spring-clamp holder. If suspended glass bowls or glass plates are used such bowls or plates shall rest in, and

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be fastened to, a metal supporting ring provided with at least three-point suspension. Such glass bowls or plates shall not be drilled for attachment to ring suspensions.

Glass bowls larger than 10 inches in diameter shall be of laminated or otherwise shatter-proof glass or surrounded by a guard made of wire at least 0.0286 inches in diameter (Number 22, Steel Wire Gage) and of a mesh which will reject a one-half inch diameter ball. Guards shall be securely fastened to the holder or suspension.

3.3.2. Car Compartments.

If an elevator car has more than one compartment, each compartment shall be equipped with an operating device; there shall be an operator in each compartment which is in use with exclusive control of that car door or gate and hoistway door; and it shall be impossible to start the car unless both operating devices are in the starting position.

When any compartment is out of use its car door or gate shall be locked in the closed position, and when so locked the car may be started with the operating device in that compartment in the "off" position.

Each compartment shall be equipped with an emergency stop switch and with an emergency release effective for the door or gate of that compartment and the corresponding hoistway door.

Each compartment shall be provided with the emergency exits required by 3.3.3, *Car Enclosures*, and the upper compartment shall have a trap door in the floor connecting with the top exit of the compartment below. Special freight elevators upon which no persons are permitted to ride are exempted from this requirement.

Two single elevators may be used in a single hoistway provided both elevators are equipped with all the safeguards required by these Rules for a single elevator both with relation to each other and to top and bottom terminals and after an installation of the same type has satisfactorily met such tests as may be required by the Commissioner.

3.3.3. Car Enclosures.

3.3.3.1. Enclosures Required.

Cars for passenger elevators shall be enclosed at the sides and top (except the opening necessary for entrance or exit). An emergency exit shall not be considered a car opening.

Cars for freight elevators shall be enclosed at the sides (except at the opening necessary for loading and unloading) to a height of at least 6 feet or to the cross-head if the cross-head is lower. The section of such car enclosures opposite the counterweight shall extend to the cross-head or car top.

Cars for sidewalk elevators shall be enclosed at the sides (except at the openings used for loading and unloading) to a height of at least 6 feet above the platform (except that where the travel is less than 7½ feet, the height of the enclosure may be reduced subject to the approval of the Commissioner).

Tops are not required on sidewalk elevators and shall not be used unless the clearance between the top and any obstruction above it, when the car is at the limit of its top over-travel, is at least 2 feet.

3.3.3.2. Deflection and Securing of Enclosures.

The deflection of elevator car enclosures shall be ¼ inch or less if subjected to a force of seventy-five pounds applied perpendicularly to the car enclosure at any point. The car enclosure shall be secured to the car floor and sling or frame in such a manner that it cannot work loose or become displaced in ordinary service.

3.3.3.3. Materials and Design.

The enclosures, including the top, sides and car doors for passenger and freight elevators (except sidewalk elevators the travel of which does not exceed one story) if of non-fireproof wood or other combustible material, shall be covered on the exterior, including the top, with sheet metal at least Number 27 United States Gage. Openings other than as required for entrance and for ventilation in the sides or top of passenger elevator car enclosures (except emergency exits) are forbidden. Vent openings less than 7 feet above the car platform shall reject a ball 2 inches in diameter.

The enclosures of freight elevators, if of open work, shall reject a ball 2 inches in diameter. The enclosure of sidewalk elevators, if of open work, shall reject a ball 4 inches in diameter.

For freight elevators where the clearance from any part of the hoistway structure or the counterweight is less than 5 inches, openings which will pass a ball ½ inch or larger in diameter shall be covered with wire netting with a mesh ½ inch square or less made of wire at least 0.0348 inches in diameter (Number 20 Steel Wire Gage) to a height of at least 6 feet from the car floor.

The use of cast iron for car tops is forbidden.

3.3.3.4. Number of Entrances to Elevator Cars.

More than two entrances to an elevator car are forbidden (except that where conditions make additional openings essential, such additional openings may be provided at the discretion of the Commissioner).

3.3.3.5. Access to Hand-Ropes on Freight Elevators.

If the car enclosure on a freight elevator is cut away to provide access to the hand-rope, the enclosure shall be cut low enough to prevent injury to the operators' hand.

3.3.3.6. Tops or Covers for Freight Elevator Cars.

Freight elevator cars (except for sidewalk elevators as provided in 3.3.3.1, *Enclosures Required*, and except on the ends of freight elevator platforms 12 feet or more long where there are no openings above the lowest landing) shall be equipped with solid top covers or wire grill work having a mesh which will reject a ball 1½ inches in diameter and made of wire at least 0.135 inches in diameter (Number 10 Steel Wire Gage) or its equivalent. The top or cover shall be sufficiently strong to sustain a load of 150 pounds applied on any 4 square inches. It is not required that the top and its supports be capable of supporting 150 pounds on every 4 square inches of its area simultaneously.

Where no car gate is provided the front section of the elevator car top shall be hinged along a line approximately 18 inches from the front of the car. Additional hinged panels may be provided if desired.

Where a freight elevator car is entirely enclosed (except the sides used for loading and unloading) and the top is unprovided with a hinged section, an emergency exit shall be provided in the top as required by 3.3.3.7, *Emergency Exits from Passenger Elevator Cars*.

3.3.3.7. Emergency Exits from Passenger Elevator Cars.

Passenger elevator cars shall be provided with an emergency exit located in the top of the car. When the space between the car enclosure and the nearest wall surface exceeds 8

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inches, a guard rail to the level of the top of the cross-head shall be provided on that side of the enclosure roof where the emergency exit is located.

Where there is an elevator in an adjacent hoistway without intervening enclosures, an emergency exit or exits shall also be located in the side of the car adjacent to each such adjoining car.

Top emergency exits shall be at least 16 inches wide and at least 400 square inches in area (except that where the reduced size of the car platform area makes it impossible to install exits of the size specified, the Commissioner may permit smaller exits, but in any case at least 14 by 22 inches).

Top exit panels shall be held in place by thumb screws arranged so that the exit covers can be readily opened from both the inside and outside of the car. If not hinged, the cover shall be secured to the car by a length of chain.

Top exit covers shall open outward. Any equipment and working platform mounted above the top of the car shall be so located as not to obstruct access to or from the top emergency exit. If a working platform is placed so as to cover any of the required area of the top emergency exit it shall be provided with a trap door, without a catch, opening upward.

Side emergency exits shall comply with the following requirements:

1. Exit panels shall be either of the hinged or removable type.
2. Exit panels shall open inward.
3. The removable type of exit panel shall be held securely in place by at least four fastenings arranged so that they can be operated by hand from both the inside and outside of the car, and so designed that they cannot readily be removed from the panel.
4. The hinged type of panel shall be provided with a lock arranged so that it may be operated from the inside of the car by means of a removable key and from the outside of the car by means of a non-removable handle. A key shall be kept in each car mounted under a break glass cover.
5. Where the size of the car permits, side exits shall have a clear width of at least 16 inches and shall extend from the floor or kick plate to the soffit moulding frame, but in any case shall be at least 5 feet in clear height.
6. Side exits shall be located so that they are unobstructed by car frame members and wherever possible, traveling cables and other hoistway equipment shall not be located in line with or so arranged as to obstruct the exit. Exits from adjacent cars shall be directly opposite each other to allow easy transfer of passengers.
7. Exit panels shall conform to 3.3.3.2, *Deflection and Securing of Enclosures*, as regards deflection.
8. On automatic operation elevators side exits shall be provided with electric contacts to prevent the operation of the car when the panel is opened or removed.

3.3.3.8. Car Doors or Gates Required.

A car door or gate shall be provided at each entrance on both passenger and freight elevator cars (excepting freight elevators handling motor vehicles, or hand trucks of over 2,000 pounds capacity). Sidewalk elevator cars shall have a

gate on the sides used for loading or unloading at the sidewalk level, which gate shall extend from the car platform to the top of the enclosure. Each car door or gate shall be provided with a car door or gate electric contact complying with 3.3.3.10, *Requirements for Electric Contacts*; 3.3.3.11, *Design of Contacts*; 3.3.3.12, *Use of Springs or Electric Circuits in Contacts*; and 3.3.3.13, *Tests and Approvals of Contacts*.

For passenger and freight elevators employing a type of operation not requiring the presence of an operator in the car, power car doors or gates, other than those closed by hand, shall be driven by a mechanism so designed and set that the force necessary to prevent the closing of the gate shall be less than 30 pounds, and further that the kinetic energy of the gate plus all parts connected rigidly thereto, computed for the average closing speed shall be less than 5 foot-pounds, provided that if the same mechanism also closes the hoistway door, the total kinetic energy shall be less than 7 foot-pounds.

For automatic operation passenger elevators having power closed, power operated, automatically released self-closing car doors or gates, and manually closed or self-closing hoistway doors, the closing of the car gate or car door shall be prevented unless the hoistway door is in the closed position.

Car gates or doors for freight elevators when closed shall guard the full opening to a height of 6 feet, or to the top of the enclosure.

A weight used to close a car door or gate automatically shall run in metal guides from which it cannot become dislodged, or it shall be boxed in. The bottoms of the guides or boxes shall be so constructed as to retain the weight if the rope breaks.

Car gates or doors for passenger elevators when closed shall guard the full height and width of the opening.

For automatic operation elevators the car gate or door shall be so located with respect to the car platform sill that the total distance from the face of the hoistway door to the face of the car door or gate shall be 5½ inches or less. (See also 2.3.1.3, *Clearances of Hoistway Doors*).

Where the car door consists of two or more sections the 5½-inch dimension shall apply to the section nearest to the edge of the car platform sill.

Where the hoistway door consists of two or more sections the 5½-inch dimension shall apply to that section which closes against the lock jamb.

Car gates of the scissors or pantograph type used for passenger elevators shall be of such design that when fully expanded they will reject a ball 3 inches in diameter. For freight elevators (except sidewalk elevators) such gates when fully expanded shall reject a ball 4½ inches in diameter.

For sidewalk elevators the openings between vertical bars in the gate shall not exceed 18 inches when the gate is fully expanded.

3.3.3.9. Sliding Car Doors and Hangers for Power Operated Car Doors.

Sliding car doors may be solid, may be provided with open grill or bars which shall reject a ball 3 inches in diameter or may be provided with glass vision panels in accordance with 3.3.1.15, *Use of Glass*. Open grills, bars or glass may extend the full height of the door panel.

Sliding car doors shall be guided top and bottom.

Hangers for power operated car doors shall be designed to withstand a downward thrust of five

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times and an upward thrust of four times the weight of the door.

3.3.3.10. Requirements for Electric Contacts.

An electric contact on the car door or gate shall prevent the operation of the car unless the door or gate is within 2 inches of full closure against the jamb (except that for elevators employing a type of operation requiring the presence of an operator in the car where the car door or gate is provided with a door closer and the requirements specified in 2.3.2.3, *Closed Position of Hoistway Doors*, are fully met, the electric contact on the car door or gate may permit the starting of the car when the door or gate is within 4 inches of full closure against the jamb).

The car door or gate electric contact shall permit the operation of the car when the emergency release is in temporary use or when the car is being moved by a leveling device.

Automatic operation elevators may be operated with an open gate if there is no person in the car.

3.3.3.11. Design of Contacts.

Car door or gate contacts shall be designed so that they are positively opened by a lever or other device attached to and operated by the door or gate.

3.3.3.12. Use of Springs or Electric Circuits in Contacts.

The functioning of a car door or gate contact to prevent the movement of the car shall be independent of the action of a spring or springs in tension, and of the closing of an electric circuit. If springs are used they shall be in compression. The interruption of the electric circuit shall prevent the movement of the car.

3.3.3.13. Tests and Approvals of Contacts.

Each type and make of car door and gate contact shall be tested and approved by the Commissioner on the basis of the following engineering tests, made by or under the supervision of a competent designated testing laboratory. Approved contacts shall be suitably marked for identification.

1. Endurance Test.
2. Current Interrupting Test.
3. Test in Moist Atmosphere.
4. Misalignment Test.
5. Test of Insulation.

These tests shall be made according to the procedure outlined in 8.1, *Tests of Interlocks*.

3.3.3.14. Emergency Releases Required on Car Doors or Gates.

Provision shall be made to render the car operative independent of the position of the car gate or door in case of fire, panic or other emergencies, by means of an emergency release conforming to 2.3.4, *Emergency Releases* (except that elevators which can be started from a landing shall not be provided with an emergency release unless equipped for dual operation, in which case, an emergency release shall be installed which shall be so arranged that when operating without an operator in the car, the emergency release shall be inoperative). This emergency release shall be separate and independent from the emergency release required by 2.3.1.5, *Emergency Releases Required on Hoistway Doors for Passenger Elevators*, and 2.3.5.5, *Emergency Releases Required on Hoistway Doors for Freight Elevators*, and shall be placed within 5 inches of such other emergency release. Emergency releases are not required on sidewalk elevators.

3.3.3.15. Protection of Cars Operating in Hoistways Outside of the Structure.

Freight elevator cars operating in hoistways outside the structure, which are enclosed only at the ground landing shall be protected on the exposed side or sides by independently operated gates equipped with electric contacts.

3.3.4. Cars Counterbalancing One Another.

Arrangement of elevator cars to counterbalance one another is forbidden.

3.3.5. Car and Counterweight Safeties and Speed Governors.

3.3.5.1. Requirements for and Application of Car Safeties.

Elevator cars suspended by cables shall be provided with a car safety or safeties attached to the car frame (except sidewalk elevators the travel of which does not exceed 15 feet which are not required to have car safeties). When one safety is used it shall be located beneath the car frame. When duplex safeties are used at least one shall be located beneath the car frame. The safety or safeties shall be capable of stopping and sustaining the car with contract load.

The application of the safety or safeties shall not cause the car platform to become out of level in excess of $\frac{1}{2}$ inch per foot measured in any direction.

When the car safety or safeties apply, no decrease in the tension of the governor cable or motion of the car in the descending direction shall release the car safety or safeties.

Car safeties shall be operated by speed governors (except that broken rope type car safeties may be used for:

1. Sidewalk elevators having a travel between 15 and 35 feet;
2. Freight elevators inside the building having a travel of 15 feet or less, a maximum contract speed of 35 feet per minute, and a maximum platform area of 50 square feet).

3.3.5.2. Requirements for and Application of Counterweight Safeties.

Counterweight safeties, where provided, shall be capable of stopping and sustaining the weight of the counterweight.

The application of counterweight safeties where provided, shall not cause the counterweight frame to become out of level in excess of $\frac{1}{2}$ inch per foot in any direction.

When the counterweight safety, where provided, is applied, no decrease in the tension of the governor cable or motion of the counterweight in the descending direction shall release the counterweight safety.

Counterweight safeties shall, where provided, be operated by speed governors (except as provided in 3.3.5.4, *Application of the Safeties*).

3.3.5.3. Design of Car and Counterweight Safeties.

Sleeve bearings for car and counterweight safety drums and screw shafts shall be of non-ferrous material.

Jaws and other parts of car and counterweight safeties of the sliding type, if made of forged steel of an ultimate strength of at least 55,000 pounds per square inch and cast steel of an ultimate strength of at least 65,000 pounds per square inch, may in action, be stressed to 17,000 pounds per square inch. For steels of greater strength, the allowable stress may be increased proportionately based on ultimate strength.

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Car and counterweight safeties may be released by reversing the direction of motion of the machine.

3.3.5.4. Application of Governor Controlled Safeties.

The car speed governor shall be set to cause the application of the safety at a speed between 40 per cent and 15 per cent above the contract speed, provided that no governor shall be required to trip at less than 175 feet per minute. For contract speed between 500 and 700 feet per minute the maximum governor tripping speed shall be $33\frac{1}{3}$ per cent above the contract speed, and for contract speed exceeding 700 feet per minute, 25 per cent above contract speed.

The counterweight safety, if provided, may be operated by the same governor and governor rope used to operate the car safety provided it complies with the requirements for and application of counterweight safeties. Provision shall be made to cause the application of the counterweight safety at a speed greater than the car safety, but at 10 per cent or less above that at which the car safety applies. Broken rope safeties of the instantaneous type may be used on counterweights within the limits of the following:

Contract Speed in Feet Per Minute	Total Weight of Counterweight in Pounds
250	2,000
200	3,000
160	4,000
125	5,000

3.3.5.5. Recognized Types of Safeties.

The following four types of safeties are recognized:

1. Type I, Instantaneous.
2. Type W.C., Wedge Clamp, with constant retarding force.
3. Type G.W.C., Gradual Wedge Clamp, with gradually increasing retarding force.
4. Type F.G.C., Flexible Guide Clamp, with constant retarding force.

Each safety shall be marked for identification, preferably with letters cast on the safety jaws.

The distance between the safety jaws shall be at least the thickness of the guide rail plus $\frac{3}{32}$ inches, and the jaws shall not drag against the rail.

3.3.5.6. Marking of Safeties.

Safeties shall be marked by the manufacturer with the range of weight and speed for which they are designed; such weight to include the complete car structure, the safety, the contract load in the car, and all moving equipment, the weight of which is borne by the safety.

3.3.5.7. Instantaneous Safeties.

Instantaneous safeties of the broken rope type shall only be used in accordance with 3.3.5.1, *Requirements for and Application of Car Safeties*.

Governor controlled safeties of the instantaneous type may be used on elevators having a contract speed of 100 feet per minute or less provided that the elevator speed is 110 feet per minute or less on uptravel with the contract load in the car. On overspeed such safeties shall be applied by the governor. On the parting of the hoisting cables such safeties shall apply instantly and independently of the speed action of the governors.

3.3.5.8. Safeties for Ascending Cars.

Car safeties for stopping ascending cars are forbidden. If an ascending car is to be stopped on account of over-speed, a safety shall be applied to the counterweight for this purpose. The car safety may be permitted to stop the

ascending car above the upper terminal landing, provided the retardation of the ascending car under such conditions is within 32.2 feet per second per second. The governor may open the motor circuit and apply the brake in case of over-speed in the up direction.

3.3.5.9. Location of Governor.

The governor shall be located where it cannot be struck by the car in case of over-travel and where there is sufficient space for full movement of governor parts.

3.3.5.10. Opening of Motor Control and Brake Control Circuits.

Where governor controlled safeties are used, the motor control circuit and the brake control circuit shall be opened before or at the time the governor trips by a switch located on the governor or car safety device.

3.3.5.11. Materials, Design and Replacement of Governor Cables.

Governor cables shall be of iron, steel, monel metal, or phosphor bronze. The cable shall be at least $\frac{3}{8}$ inch in diameter. The use of tiller rope construction for governor cables is forbidden (except that tiller rope may be used for the portion of the cable wound on the safety drum). Such rope shall be of corrosion resisting metal.

Replacements for existing governor cables shall be of the same size, material and construction as the cable originally furnished by the manufacturer (except that where a cable of either different material or construction is employed, a test of the car or counterweight safety shall be made with the new cable to demonstrate that it will successfully operate the safety).

Governor ropes shall run clear of governor jaws during the normal operation of the elevator.

The size, material and construction of the governor rope, together with the proper tripping speed of the governor, shall be stamped on the governor stand or given on a brass plate attached to it in letters at least $\frac{1}{4}$ inch in height.

3.3.5.12. Operation of the Governor.

The arc of contact between the governor rope and its driving sheave shall, in conjunction with a tension device, provide sufficient traction to cause proper operation of the governor.

The design and length of governor jaws shall be such that no serious cutting, tearing, or deformation of the rope shall result from the operation of the safety.

The governor shall so function that the safety rope will pull through the governor jaws on the application of a stress exceeding that required to operate the safety so as to stop the car (except in the case of instantaneous type safeties).

Governors shall have a protective covering over sheave, jaws and exposed gears.

3.3.5.13. Slack Cable Devices.

Winding-drum machines shall be provided with a slack-cable device which will cut off the power and stop the elevator machine if the car is obstructed in its descent.

Slack-cable switches shall be so constructed that they will not automatically reset when the slack in the cable is removed.

3.3.5.14. Application of Car Safeties.

The use of car safeties which depend for application upon the completion or maintenance of an electric circuit is forbidden. Car safeties shall be applied mechanically.

3.3.5.15. Use of Gripping Surfaces of Safeties.

The use of the gripping surfaces of car or counterweight safeties to guide the car or counterweights is forbidden.

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3.3.5.16. Pawls and Ratchets.

Pawls and ratchets shall be considered insufficient as a safety device.

3.3.6. Car Safety Test.

3.3.6.1. Car Safety Test Required.

An over speed test with contract load in the car shall be made of the safeties of each new elevator before the elevator is placed in regular service (except that governor controlled instantaneous type safeties shall be tested at contract speed, the governor being tripped by hand and broken rope instantaneous type safeties shall be tested by obtaining the necessary slack rope to cause them to function). For wedge clamp, gradual wedge clamp and flexible guide clamp

safeties, this test shall be made to determine whether the safety will operate within the allowable limits of the maximum and minimum stopping distances. Over-speed tests shall be made with all electric apparatus intact (except for the over-speed contact on the governor).

For alternating current elevators, where the contract load is unable to bring about over-speed, the safety governor shall be tripped by hand at maximum obtainable speed.

No test of the safeties with safe lifting load in the car shall be made.

3.3.6.2. Maximum and Minimum Stopping Distances of Wedge Clamp Safeties.

The maximum stopping distance of car and counterweight safeties of the wedge clamp type with constant retarding force shall be within that shown by Figure 1, Curve III, for cars with contract load and for the counterweight, and the minimum stopping distance shall be at least that shown by Curve I for cars with 150 pound load, and Curve II for cars with contract load and for the counterweight.

3.3.6.3. Maximum and Minimum Stopping Distances of Gradual Wedge Clamp Safeties.

The maximum stopping distance of car and counterweight safeties of the Gradual Wedge Clamp type, G.W.C., with increasing retarding

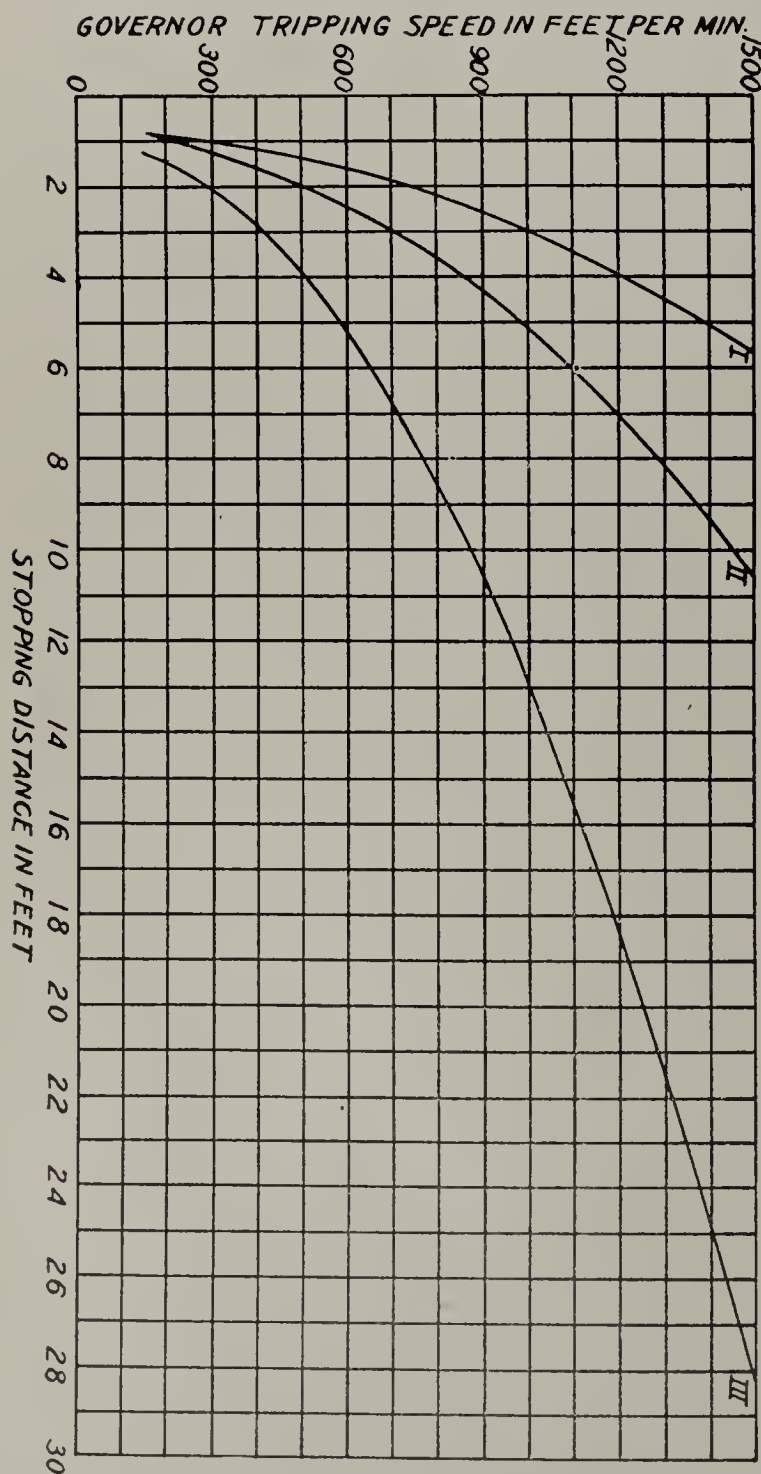


FIG. 1. MINIMUM AND MAXIMUM STOPPING DISTANCES

CAR AND COUNTERWEIGHT SAFETIES, TYPE W.C. (WEDGE CLAMP)

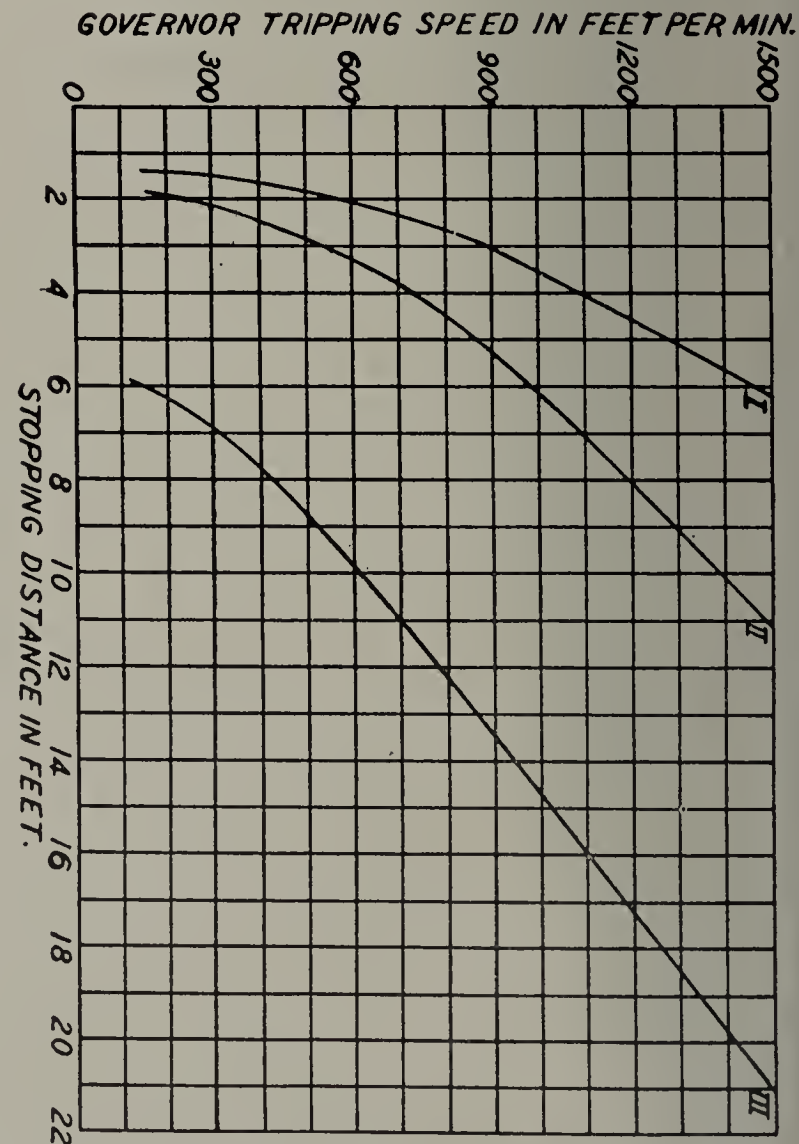


FIG. 2. MINIMUM AND MAXIMUM STOPPING DISTANCES

CAR AND COUNTERWEIGHT SAFETIES, TYPE G.W.C. (GRADUAL WEDGE CLAMP)

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force shall be within that shown by Figure 2, Curve III, for cars with contract load and for the counterweight, and the minimum stopping distance shall be at least that shown by Figure 2, Curve I, for cars with 150 pound load, and Curve II for cars with contract load and for the counterweight.

3.3.6.4. Maximum and Minimum Stopping Distances of Flexible-Guide Clamp Safeties.

The maximum stopping distance of the car and counterweight safeties of the Flexible-Guide Clamp Type, F.G.C., shall be within that shown by Figure 3, Curve III, for the car with contract load and for the counterweight, and the minimum stopping distance shall be at least that shown by Figure 3, Curve I, for cars with 150

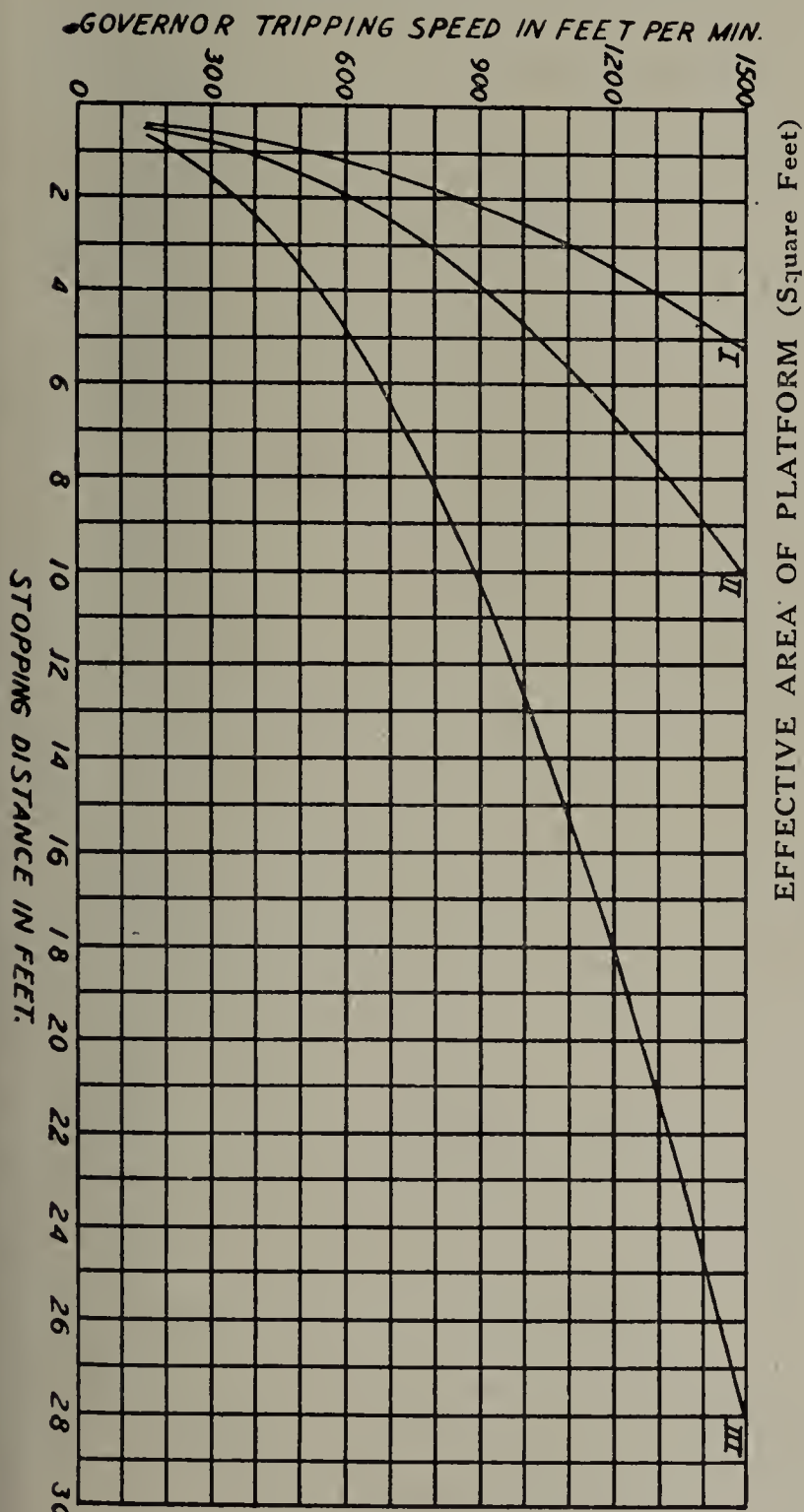


FIG. 3. MINIMUM AND MAXIMUM STOPPING DISTANCES

CAR AND COUNTERWEIGHT SAFETIES, TYPE F.G.C. (FLEXIBLE GUIDE CLAMP)

pound load and Curve II for cars with contract load and for counterweights.

3.3.6.5. Pull-Out of the Governor Cable.

For elevators having a contract speed of 475 feet per minute or more, the pull-out of the governor cable from its normal running position until the safety jaws begin to apply pressure to the guide rails shall be 30 inches or less.

3.3.6.6. Stopping Distance.

Stopping distance is actual slide as indicated by the marks on the rails.

3.3.7. Capacity and Loading.

3.3.7.1. Contract Load of Elevators.

The contract load of a passenger elevator in pounds shall be at least the amount given by Curve A in Figure 4 corresponding to the effective platform area of the car.

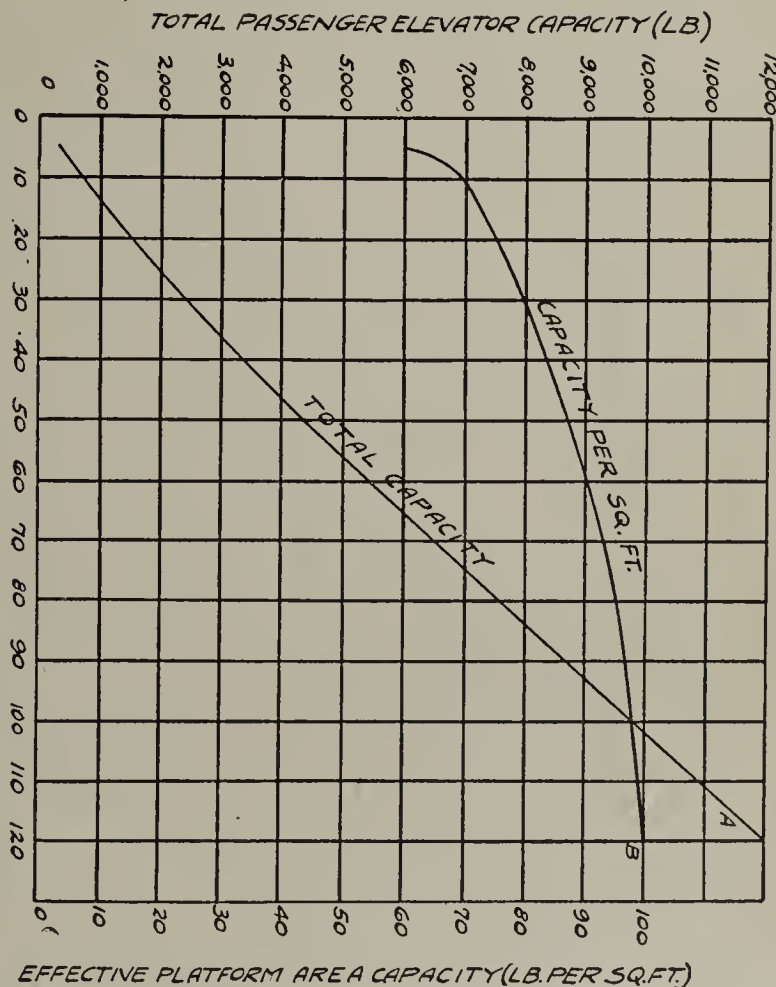


FIG. 4. PLOT SHOWING PASSENGER-ELEVATOR CARRYING CAPACITY CORRESPONDING TO EFFECTIVE PLATFORM AREA

The minimum contract load of freight elevators in business buildings, public buildings, residence buildings and mixed occupancy buildings shall be determined on the basis of the curve for passenger elevators (except elevators used for lifting automobiles and carriages and elevators not traveling above the street level). The minimum contract load of freight elevators in warehouses and all elevators not traveling above the street level (except automobile and carriage elevators) shall be determined on the basis of 50 pounds per square foot for the first 100 square feet of platform area and 25 pounds for each additional square foot. The minimum contract load of elevators lifting automobiles and carriages shall be determined on the basis of 50 pounds per square foot for the first 80 square feet of platform area and 20 pounds for each additional square foot.

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For passenger and freight elevators having effective platform areas above 120 square feet (except elevators used for lifting automobiles and carriages, elevators not traveling above the street level and freight elevators in warehouse) the contract load shall be at least 100 pounds per square foot.

3.3.7.2. Posting of Information.

A metal plate shall be fastened in a conspicuous place in passenger elevator cars, bearing the following information in at least $\frac{1}{4}$ inch letters or figures stamped, etched or raised on the surface of the plate:

The Contract load of the elevator in pounds. (See also 3.3.7.4, *One Piece Loads on Elevators*, Paragraph 5).

The inspection certificate posted in passenger elevator cars shall state the allowable number of passengers permitted to be carried by the elevator equal to its rated load in pounds divided by 150.

A similar metal plate shall be placed upon the cross-head of passenger and freight elevators and on the bow iron or frame of sidewalk type elevators, bearing the following information:

1. The weight of the complete car, including the safeties.
2. The contract car speed in feet per minute at which the elevator is designed to travel (except sidewalk type elevators).
3. The cable data required by 3.5.1.2, *Information on Capacity Plates*.

The capacity of freight elevators shall be indicated in a conspicuous place in the car in letters and figures at least 1 inch high by the word "CAPACITY," followed by figures giving the contract load in pounds.

3.3.7.3. Carrying of Passengers on Freight Elevators.

The use of new freight elevator installations to carry passengers is forbidden unless they conform to all the requirements of these Rules covering passenger elevators.

The carrying of passengers on existing freight elevators shall be permissible provided the elevator conforms in all respects to the requirements of the rules for existing passenger elevators.

3.3.7.4. One Piece Loads on Elevators.

Passenger and freight elevators may be used for carrying safes or other one piece loads greater than the contract load of the elevator when the following requirements are met:

1. A "locking device" is provided which will hold the car at any landing independently of the hoisting cables while the safe or other object is being loaded or unloaded.
2. The "locking device" shall be so designed that it cannot be unlocked unless the entire weight of the car and load is suspended on the cables.
3. The wrench or other device for operating the "locking device" shall be removable.
4. The "locking device" shall be designed to withdraw the bars should it come in contact with the landing locks if the car is operated on the up motion.
5. A metal plate shall be provided in the elevator car which shall bear the words "Capacity Lifting Safes" in letters followed by figures giving the capacity in pounds for lifting safes for which the machine is designed, the letters and figures to be at least $\frac{1}{4}$ inch high, stamped, etched, or raised on the surface of the plate.
6. The car platform, car frame, sheaves, shafts, cables and locking device shall be

designed for the specified "Capacity Lifting Safes" with a factor of safety of at least five.

7. The car safeties shall be designed to stop and hold the specified "Capacity Lifting Safes" with the cables intact.
8. Where there is a passageway under the hoistway the machine shall be designed to operate with the "Capacity Lifting Safes" at slow speed and the car safety shall be designed to stop and hold the car and "Capacity Lifting Safes" independently of the cables.
9. For traction machines additional counterweights shall be added so that the total overbalance is at least equal to 45 per cent of the "Capacity Lifting Safes."

3.3.7.5. Locking Device Required.

The locking device specified in 3.3.7.4, *One Piece Loads on Elevators*, paragraph 1, shall be provided for any passenger elevator installed for carrying safes or other one piece loads where the weight of such safes or one piece loads equals or exceeds 75 per cent of the contract load.

3.3.7.6. Maximum "Capacity Lifting Safes."

The maximum "Capacity Lifting Safes" of any traction elevator shall be $1\frac{1}{3}$ times the contract load of the elevator.

3.3.7.7. Special Switches.

Elevator machines equipped for carrying safes or other concentrated loads greater than the contract load of the elevator shall be provided with special switches near the machine for operating under such conditions.

3.3.8. Contract Load Test.

A test of every new elevator shall be made with contract load in the car under the supervision of the Commissioner before the elevator is placed in regular service.

The brakes, limit switches, buffers, car safety and speed governor shall be caused to function in each test, and approval of any elevator shall be granted only upon satisfactory completion of such test.

3.4. Machines, Stopping Devices, Control and Operation.

3.4.1. Machines and Machinery.

3.4.1.1. Design of Drums and Sheaves.

Drums and leading sheaves shall be of cast iron or steel, and shall have finished grooves which may be faced with materials other than iron and steel, having sufficient traction. U grooves shall be at most $\frac{1}{16}$ inch larger than the cables.

Hoisting rope sheaves for traction machines shall have sheave grooves designed so that the traction will not be materially decreased by the wear of the grooves.

The diameters of sheaves or drums for hoisting or counterweight cables shall be at least forty times the diameter of the cable (except for sidewalk elevators and except where conditions make impractical the use of sheaves of such size, in which case the Commissioner may permit the use of smaller diameter sheaves). Openings in drums shall be drilled at an angle of less than 45 degrees with the run of the rope and be provided with a rounded corner with a radius at least equal to that of the rope.

3.4.1.2. Factors of Safety.

The factors of safety based on the static loads (the contract load plus the weight of the car, cables, counterweights, and so forth) to be used in the design of elevator hoisting machines shall be at least:

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For wrought iron or wrought steel..... 8
For cast iron, cast steel or other materials.. 10

3.4.1.3. Set Screw Fastenings.

The use of set screw fastenings instead of keys or pins is forbidden (except where the connection is not subject to torque).

3.4.1.4. Friction Gearing or Clutch Mechanisms for Passenger Elevators.

The use of friction gearing or clutch mechanisms for connecting the drums or sheaves to the main driving gear is forbidden.

3.4.1.5. Use of Belt or Chain-driven Machines.

The use of belt or chain-driven machines is forbidden.

3.4.1.6. Cast Iron Toothed Worm Gears.

The use of worm gearing with cast iron teeth is forbidden.

3.4.1.7. Brakes Required.

Winding drum and traction machines shall be equipped with brakes applied automatically by springs or gravity when the operative device is at the "stop" position. Electric elevator machines shall be equipped with electrically released brakes.

The release of brakes before power has been applied to the motor is forbidden.

3.4.1.8. Action of the Brake Magnet.

No single ground, short-circuit or counter-voltage shall prevent the action of the brake magnet from allowing the brake to set in the intended manner during normal operation.

No motor-field discharge, counter-voltage, single ground or accidental short-circuit shall retard the action of the brake magnet in allowing the brake to set during emergency stops.

3.4.2. Hydraulic Elevator Machines.

3.4.2.1. Construction of Hydraulic Elevator Machines.

Hydraulic elevator machines, whether of the vertical or horizontal type, shall be so constructed and so roped that the piston will be stopped before the car can be drawn into the overhead work. Stops of ample strength shall be provided to bring the piston to rest when under full pressure without causing damage to the cylinder or cylinder head.

3.4.2.2. Metal Guide Rails and Shoes Required for Traveling Sheaves.

Traveling sheaves for vertical hydraulic elevators shall be guided. Guide rails and guide shoes shall be of metal.

3.4.2.3. Side Frames and U-Strap Connections.

Side frames of traveling sheaves for vertical hydraulic elevators shall be either structural or forged steel.

The use of the construction commonly known as the "U-strap connection" between the piston rods and the traveling sheaves is forbidden.

3.4.2.4. Equalizing Cross-Heads and Washers.

Where more than one piston rod is used on the vertical pulling type, an equalizing cross-head shall be provided for attaching the rods to the traveling sheave frame to insure an equal distribution of load on each rod.

Equalizing or cup washers shall be used under the piston rod nuts to insure a true bearing.

3.4.2.5. Gas Releases.

Cylinders of hydraulic elevator machines shall be provided with means for releasing air or other gas.

3.4.2.6. Factor of Safety and True Bearing of Piston Rods of Hydraulic Elevators.

Piston rods of tension type hydraulic elevators

shall have a factor of safety of at least eight, based on the cross sectional area at the root of the thread. A true bearing shall be maintained under the nuts at both ends of the piston rod to prevent eccentric loading on the rods.

3.4.2.7. Outlets of Pressure Tanks.

Outlets of pressure tanks shall be located to prevent the probability of the entrance of air or other gas into the elevator cylinder.

3.4.2.8. Packing of Automatic Stop Valves.

Automatic stop valves for elevators shall be packed with cup leathers, or other means shall be used to prevent sticking of the valve stems.

3.4.2.9. Relief Valves.

Each pump connected to the pressure tank of a hydraulic elevator shall be equipped with a relief valve, so installed that it cannot be shut off. The relief valve shall be of sufficient size and so set as to pass the full capacity of the pump at full speed without exceeding the safe working pressure of the pump or tank. The relief valve shall be piped to discharge into the discharge tank or the pump suction. Two or more relief valves may be used to obtain the capacity.

3.4.2.10. Automatic By-Passes.

Elevator pumps, unless equipped with pressure regulations which control the motive power, shall be equipped with automatic by-passes.

3.4.2.11. Pressure Tanks.

Pressure tanks shall be made and tested in accordance with the requirements of the American Society of Mechanical Engineers' Boiler Code for unfired pressure vessels, 1930.

3.4.2.12. Gages.

Each pressure tank shall be provided with a water gage glass having brass fittings and valves, attached directly to the tank and so located as to show the level of the water when the tank is more than half filled.

Each pressure tank shall have a pressure gage which correctly indicates pressure to at least one and one-half times the normal working pressure allowed in the tank. This gage shall be connected to the tank by a brass or other corrosion resisting pipe in such a manner that the gage cannot be shut off from the tank (except by a cock with a "T" or lever handle, the T or lever being set in line with the direction of the flow). The cock shall be in the pipe near the gage.

Pressure tanks shall be provided with a 1/4 inch pipe size valved connection for attaching an inspectors' gage while the tank is in service.

3.4.2.13. Vacuum Relief Valves.

Pressure tanks that may be subject to vacuum shall be provided with one or more vacuum relief valves.

Vacuum relief valves shall have openings of sufficient size to prevent the collapse of the tank if a vacuum occurs. If necessary more than one vacuum relief valve may be used to obtain sufficient capacity.

3.4.2.14. Inspection of Pressure Tanks.

Pressure tanks shall be so located and supported that inspection may be made of the entire exterior.

3.4.2.15. Discharge Tanks.

Discharge tanks open to the atmosphere shall be so designed that when completely filled the factor of safety shall be at least four based on the ultimate strength of the material. Discharge tanks shall be covered to prevent the entrance of foreign material and provided with a suitable vent to the atmosphere.

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3.4.2.16. Hydraulic Elevators Operated by Steam or Gas.

Hydraulic elevators operated from a pressure tank where the fluid pressure is obtained by directly admitting steam, air or other gas to the tank, shall comply with all the rules governing hydraulic elevators.

3.4.2.17. Design of Plunger Elevators.

In the design of plunger elevators adequate provision shall be made to stop the plunger as well as the car.

3.4.3. Terminal Stopping and Safety Devices.

3.4.3.1. Normal Terminal Stopping Devices Required.

Elevators shall be provided with upper and lower normal terminal stopping devices, arranged to stop the car automatically from any speed attained in normal operation within the top and bottom overtravel independent of the operating devices, the final terminal stopping device and the buffers (except that in the case of hand-rope or rod operating devices the normal terminal stopping device may operate in conjunction with the operating devices).

3.4.3.2. Installation of Normal Terminal Stopping Devices.

Normal terminal stopping devices shall be installed as follows:

1. Electric elevators having winding drum machines (except sidewalk type elevators and except those operated by hand-rope, wheel or lever devices) shall have stopping switches on the car or in the hoistway operated by the movement of the car.
2. Electric elevators having traction machines (except those operated by hand-rope devices) shall have stopping switches on the car, or in the machine room, or in the hoistway, operated by the movement of the car.

Where such stopping devices are located in the machine room, a safety switch shall be provided which will stop the machine should the driving member fail.

3. All electric elevators with hand-rope or rod operating devices shall have stop balls securely fastened to the rope or rod arranged to center the operating device, and (except for sidewalk type elevators) if winding drum machines are used they shall also have an additional device to center the operating device automatically.
4. Hydraulic elevators having a contract speed in excess of 100 feet per minute shall have an automatic stop valve independent of the normal control valve or valves operated either by the car or the machine.
5. Hydraulic elevators having a contract speed of 100 feet per minute or less with hand-rope or rod operating devices shall have stop balls on the operating device.
6. Electric elevators having winding drum machines with lever or wheel operating devices shall have a device to center the operating device automatically.
7. Electric sidewalk type elevators having winding drum machines and hand-rope or pull chain operating devices shall have a stopping device on the machine and on the operating device.

Electric sidewalk type elevators having winding drum machines and either automatic or continuous pressure operation shall have a stopping device on the machine and in the hoistway. These stopping devices shall not control the same switches

unless two or more separate and independent switches are provided, two of which shall be closed to complete the motor and brake circuit in each direction of travel.

3.4.3.3. Final Terminal Stopping Devices Required.

Electric elevators (except sidewalk type elevators) shall be provided with upper and lower final terminal stopping devices arranged to stop the car and counterweight automatically from contract speed within the top clearance and bottom overtravel independently of the operation of the normal terminal stopping devices and the operating device, but with buffers operative. This requirement may necessitate the use of auxiliary stopping devices for the car and counterweight.

Final limit switches and oil buffers shall be located so that the engagement of the buffer and the opening of the limit switch will occur as nearly simultaneously as possible. When spring buffers are provided, the final limit switches shall be opened before the buffer is engaged.

Where means are provided to prevent jumping of the car or counterweight it shall only be necessary that the limit switch open before the buffer is fully compressed.

3.4.3.4. Installation of Final Terminal Stopping Devices.

Final terminal stopping devices shall be installed in connection with electric elevators (except sidewalk type elevators) as follows:

1. Electric elevators having winding drum machines shall have stopping switches on the machines and also in the hoistway operated by the movement of the car.
2. Electric elevators having traction machines shall have stopping switches in the hoistway operated by the movement of the car.

3.4.3.5. Action and Switches of Final Terminal Stopping Devices.

The final terminal stopping device shall act to prevent movement of the car in both directions. The normal and final terminal stopping devices shall not control the same switches on the controller unless two or more separate and independent switches are provided, two of which shall be closed to complete the motor and brake circuit in each direction of travel. When 2-phase or 3-phase alternating current is used to operate the elevator the above switches shall be of the multipole type. In the case of hand-rope, rod, wheel or lever operating devices the normal and final terminal stopping devices may control the same switch on the controller.

When the final terminal stopping device controls the same controller switch or switches as the operating device or the normal terminal stopping device, it shall be connected into the control circuit on the opposite of the line.

3.4.3.6. Prohibited Types of Terminal Stopping Devices.

The use of chain, rope or belt driven machine terminal stopping devices is forbidden for elevators having winding drum machines.

3.4.3.7. Automatic Terminal Stopping Devices Required.

Electric elevators having winding drum machines (except sidewalk type elevators) driven by 2-phase or 3-phase alternating current shall have an automatic terminal stopping device arranged to open the main line circuit to the motor and brake directly. This device shall prevent movement of the machine in either direction be-

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fore or coincident with the operation of the final terminal stopping device.

3.4.3.8. Enclosure of Terminal Stopping Switches.

Normal and final terminal stopping switches, whether on the car, in the machine room, or in the hoistway, shall be of the enclosed type.

3.4.3.9. Mounting of Terminal Stopping Devices.

Normal and final terminal stopping devices, where on the car or in the hoistway, shall be securely mounted in such a manner that the movement of the switch lever or roller to open the contacts shall be as nearly as possible in a direction at right angles to a line drawn between the faces of the car guide rails.

3.4.3.10. Location of Operating Cams.

The cams for operating the terminal stopping switches shall be of metal and shall be so located and of sufficient length to maintain the switch in the open position when the car is in contact with the overhead structure or resting on the fully compressed buffer with the overhead structure and the buffer in their normal position.

3.4.4. Operation and Control.

3.4.4.1. Maximum Speed for Direct Hand Operated Elevators.

The operation of elevators having a contract speed in excess of 100 feet per minute by direct hand operated ropes, cables or rods is forbidden.

3.4.4.2. Maximum Speed of Elevators Operated by Wheels or Levers; Marking of Hydraulic Elevator Operating Devices.

The operation of elevators having a contract speed in excess of 150 feet per minute by wheel or lever mechanisms is forbidden (except hydraulic elevators).

Hydraulic elevators operated by a wheel operating device shall be provided with an indicating device in the car to show the position of the control valve. Such device shall be marked and shall indicate "up," "down" and "off." The wheel operating device shall be marked to indicate the direction of motion.

3.4.4.3. Access to Operating Ropes or Cables from Outside of the Hoistway.

The operation of elevators by a rope or cable, access to which is obtained from the outside of the hoistway, is forbidden.

3.4.4.4. Overhead Tension Weights.

Overhead tension weights for hand ropes shall be secured by chains or cables attached to the weights and to a suitable anchorage.

3.4.4.5. Hand-rope Guards.

Guards which will keep the hand-ropes on the sheaves shall be installed.

3.4.4.6. Centering Devices Required.

Freight elevators (except sidewalk type elevators) operated by means of a direct operated handrope, shall be provided with a centering device which will insure the operating mechanism being placed in the stop position when it is desired to stop the car.

3.4.4.7. Arrangement and Number of Operating Devices.

The handle of car switch operating devices shall be arranged to return to the "stop" position and lock there automatically when the hand of the operator is removed.

Where more than one operating device is used in a car (except in automatic operation elevators) the operating devices shall be so interlocked that only one can be used at a time. If a single operating device is used, it shall be so

located as to be near the car opening serving the greatest number of landing openings.

3.4.4.8. Emergency Stop Switches.

An emergency stop switch, which will cut off the source of power, shall be provided in the car adjacent to the operating device for electric elevators. If the stop button of an automatic operation or continuous pressure operation elevator is a red button marked "stop," it may be used as the emergency stop switch.

One lead to the emergency stop switch shall be run to the car through a separate and independent traveling cable where electric elevators have winding drum machines.

3.4.4.9. Disconnecting Switch Required.

A manually operated multi-pole disconnecting (service) switch shall be installed in the main line of electric elevator machinery.

This switch shall be located adjacent to and visible from the elevator machine or motor generator set. Provision for closing the disconnecting switch from any other part of the building is forbidden. When practicable this switch shall be located in the machine room at the lock-jamb side of the entrance door.

3.4.4.10. Independent Breaks Required with Metal-to-Metal Contacts.

Where metal-to-metal contacts, gravity or spring opened, or a combination of the two, are used on controller switches for stopping elevator machines at least two independent breaks shall be provided.

3.4.4.11. Use of Springs or Electric Circuits as Circuit Breakers.

Breaking the circuit to stop an automatic-controlled elevator at the terminals shall be independent of the operation of springs in tension or the completion of another electric circuit. If springs are used they shall be in compression. The interruption of the electric circuit shall prevent the movement of the car.

3.4.4.12. Grounding of Frames.

The frame of the electric elevator machine, the frame of the controller, the operating rope if used, and the frames of electric appliances in or on the elevator car shall be effectively grounded.

3.4.4.13. Enclosure of "Slack Cable" Switches.

The electric "slack cable" switches shall be enclosed.

3.4.4.14. Forbidden Types of Control Systems.

The use of control systems which depend on the completion or maintenance of an electric circuit for the interruption of the power and for the application of electro-mechanical brakes at the terminals, for the operation of safeties or the closing of a contactor by an emergency stop button, is forbidden (except that dynamic-braking and speed control devices are exempt from these requirements).

3.4.4.15. Arrangement of Operating Levers.

"Car-switch" and hand-operating levers shall be so arranged that the movement of the lever toward the opening which the operator usually faces will cause the car to descend and the movement of the lever away from the opening will cause the car to ascend.

3.4.4.16. Rope Locks Required.

Freight elevators operated by hand-ropes shall be equipped with rope locks for holding the car at any landing (except

1. Sidewalk type elevators;
2. Elevators equipped with an emergency switch; and
3. Elevators equipped with interlocks or electric contacts).

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3.4.4.17. Operation of Directional Switches or Operating Valves on Passenger Elevators.

On mechanically operated passenger elevators the operation of directional switches or operating valves shall not depend solely upon belts or upon cast or malleable iron chains. If a hand-rope is used the cable shall be securely anchored to the operating sheave or drum.

3.4.4.18. Automatic Fire Alarm Circuit Breakers.

The use of a circuit breaker operated automatically by a fire alarm system to cut off the power, or interrupting the operating circuit of a passenger elevator is forbidden.

3.4.4.19. Automatic Operation Elevators.

Automatic operation elevators (except sidewalk elevators the travel of which does not exceed one story) shall comply with the following requirements:

1. If the car has started for a given landing it shall be impossible for an impulse to be given from any landing to send the car in the reverse direction until it has reached the destination corresponding to the first impulse. It shall be permissible to stop the car at any intermediate landing to take on or discharge passengers or attendants going in the original direction.
2. If the car has been stopped to take on or discharge passengers or freight and is to continue in the direction determined by the first impulse, it is permissible to start the car by the closing of the car gate.
3. It shall be impossible to start the car under normal operation unless every hoistway door is closed and locked in the closed position. The use of devices employing locks and contacts of a type where the contact is made when the door is closed and the locking of the door takes place subsequently is forbidden.
4. Where the elevator is used by the general public no buttons shall be provided at any landing to send the car to any other landing.
5. The floating platform construction may be used to permit operation of the car from the landing buttons with the car gate open when there is no passenger in the car under the following conditions:

Each landing door shall be flush with the hoistway edge of its landing saddle and lintel within a tolerance of one-quarter of an inch, plus or minus.

The platform shall prevent the operation of the car from the car push buttons unless the platform is depressed.

It shall be impossible to operate the elevator from the car push buttons unless the car gate is closed.

The platform shall operate when a weight of 30 pounds is placed on it at any point.

The platform shall be so constructed that there is no pocket or recess capable of holding refuse or dirt beneath the platform.

The entire platform within the enclosure and the platform threshold sill shall float.

The installation of handrails in the elevator car is forbidden.

6. An inspector's switch shall be installed on the controller to render all landing buttons inoperative, and when the opening of

the emergency stop switch or button does not cancel all registered car and hall calls, the inspector's switch on the controller shall also render all car buttons inoperative and there shall be furnished in the car an Up and Down inspection switch or button which will enable the inspector to operate the elevator in either direction as long as the switch or button is held in contact.

3.4.4.20. Continuous Pressure Operation.

The use of continuous pressure operation for passenger elevators is forbidden (except when they are provided with all of the safety devices required for automatic operation elevators).

3.4.4.21. Polyphase Alternating Current Motors.

Each electric elevator driven by a polyphase alternating current motor shall be provided with a device which will (except in the case of alternating current motors used in motor generator sets) prevent starting the motor if

1. The phase rotation is in the wrong direction; or
2. There is failure in any phase.

3.4.4.22. Starting of Electric Elevators After Failure of Power.

Electric elevators operated by hand cables, lever or wheel operating devices, shall be so arranged that, in case of failure of power, or the opening of car gate, landing door or limit switches, it will be necessary to return the operating device to the "OFF" position before the elevator can again be started.

3.4.4.23. Use of Overload Circuit-Breakers.

If an overload circuit-breaker is used for a direct current rheostatic control electric elevator, the wiring shall be arranged so that the circuit of the brake-magnet coil is opened at the same time that the line circuit is opened.

3.4.4.24. Sidewalk Elevator Key Switch.

Sidewalk elevators the hatch opening of which is located in the sidewalk or other area accessible to the public shall be provided with a device which shall normally prevent the car from opening or closing the sidewalk hatch cover. A switch which can be operated only by a special key and which when closed will permit the car to open and close the sidewalk hatch cover shall be installed on the building wall above the sidewalk at the right hand side of the hoistway when facing the building wall and not over 18 inches horizontally distant from the hoistway. A detachable flexible cord 5 feet or less in length with a continuous pressure button on the free end may be used in lieu of the key switch when desired.

It shall be necessary that the key or button be held manually in position to keep the circuit closed. The elevator may also be operated from the sidewalk or exterior area level by means of the key switch or button.

3.4.4.25. Installation of Condensers.

The installation of condensers the operation of which will hold in any magnet or keep alive any circuit so as to interfere with the proper operation of any new or existing elevator apparatus is forbidden.

3.4.5. Limits of Speed.

3.4.5.1. Maximum Speed of Freight and Passenger Elevators.

The maximum contract speed of passenger and freight elevators (except as otherwise specified in 3.4.5.2, *Maximum Speed of Sidewalk Type Elevators*; 3.4.5.3, *Maximum Speed of*

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Freight Elevators Without Regular Operators, and 3.4.5.4, Maximum Speed of Continuous Pressure Operation Freight Elevators) shall be limited only by the top and bottom clearances as determined by 2.1.4, Pits, Overtravel and Clearances.

3.4.5.2. Maximum Speed of Sidewalk Type Elevators.

The maximum contract speed of sidewalk type elevators shall be 35 feet per minute.

3.4.5.3. Maximum Speed of Freight Elevators Without Regular Operators.

The maximum contract speed of freight elevators without a regular operator (except sidewalk type elevators) unless provided with automatic operation or continuous pressure operation, shall be 100 feet per minute.

3.4.5.4. Maximum Speed of Continuous Pressure Operation Freight Elevators.

The maximum contract speed of electric freight elevators with continuous pressure operation (except sidewalk type elevators) shall be 150 feet per minute.

3.5. Cables and Signal Systems for Elevators.

3.5.1. Cables.

3.5.1.1. Materials for Cables.

Car and counterweight cables shall be iron or steel without covering (except that where liability to excessive corrosion or other hazard exists, marine-covered cables are permitted for freight elevators). The use of marine-covered cables for passenger elevators is forbidden. The use of chains for hoisting is forbidden (except for sidewalk elevators the travel of which does not exceed 15 feet).

3.5.1.2. Information on Capacity Plates.

Where winding drum machines are used, the capacity plate required in 3.3.7.2, Posting of Information, shall bear the following information:

CABLE SPECIFICATIONS

Cable	Number	Diameter In Inches	Rated Ultimate Strength in Pounds
Hoisting			
Car Counterweight			
Machine Counterweight			

Where traction machines or drum machines without counterweights are used, the capacity plate required in 3.3.7.2, Posting of Information, shall bear the following information:

CABLE SPECIFICATIONS

	Number	Diameter In Inches	Rated Ultimate Strength in Pounds
Hoisting Cables			

Where hydraulic machines are used the capacity plate required is 3.3.7.2, Posting of Information, shall bear the following information:

CABLE SPECIFICATIONS

Cable	Number	Diameter In Inches	Rated Ultimate Strength in Pounds
Hoisting			
Car Counterweight			

In addition a metal tag shall be attached to the cable fastenings. On this tag shall be given the diameter, rated ultimate strength, and material of the cable, and the date of the cable installation.

3.5.1.3. Load Limit for Cables of Unknown Strength.

Where the rated ultimate strength and material are not known, the loads shall be limited to the loads allowed for iron cable of the same diameter.

3.5.1.4. Factors of Safety.

The factor of safety based on static loads for car and counterweight cables for elevators shall be at least the values given in the following figures corresponding to the contract speed of the car.

The factor of safety based on static loads for chains used for hoisting sidewalk elevators shall be at least 5, and for cables 7.

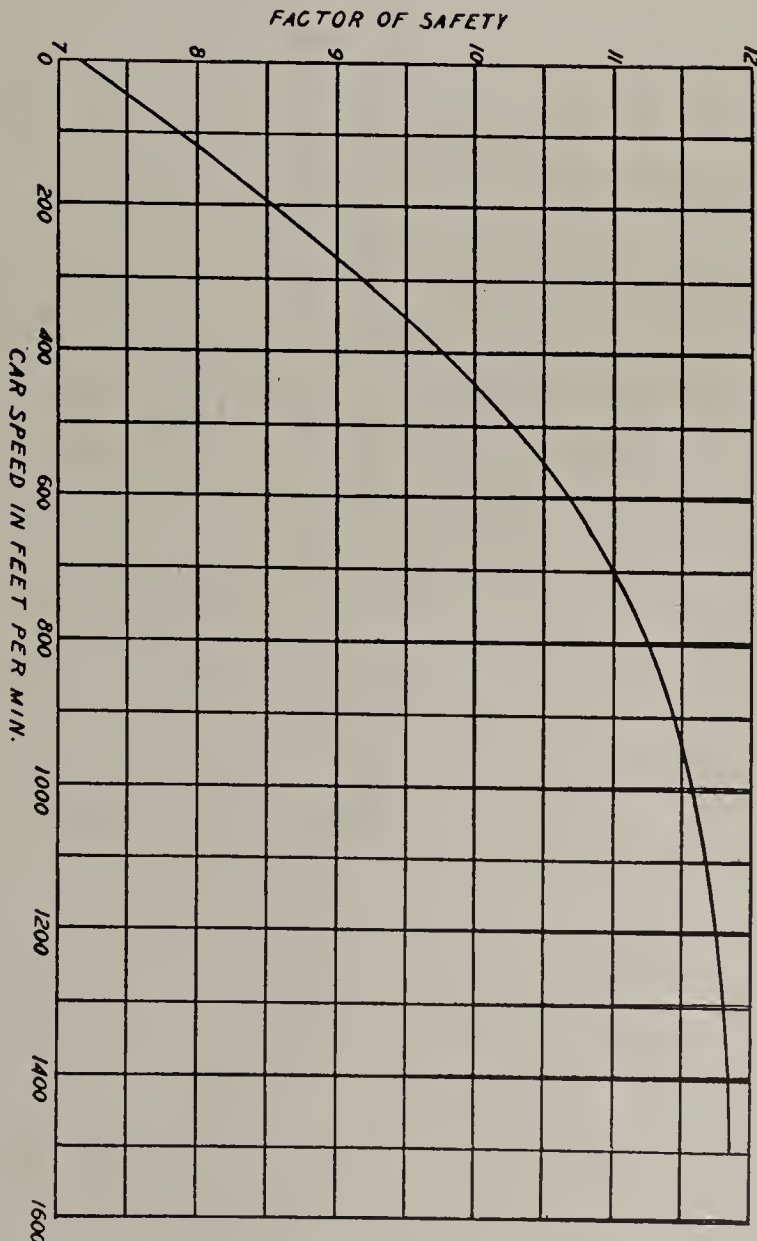


FIG. 5. FACTORS OF SAFETY FOR HOISTING AND COUNTERWEIGHT CABLES FOR PASSENGER ELEVATORS

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3.5.1.5. Number and Diameter of Cables and Computed Load.

The number and diameter of the cables shall be determined by using the factor of safety found in 3.5.1.4, *Factors of Safety*, together with the rated ultimate strength of the cable. The computed load on the cables shall be the weight of the car, plus its contract load, plus the weight of hoisting cables and the compensation.

The minimum number of cables used with traction elevators shall be 3. The minimum number of cables used with winding drum elevators shall be 2.

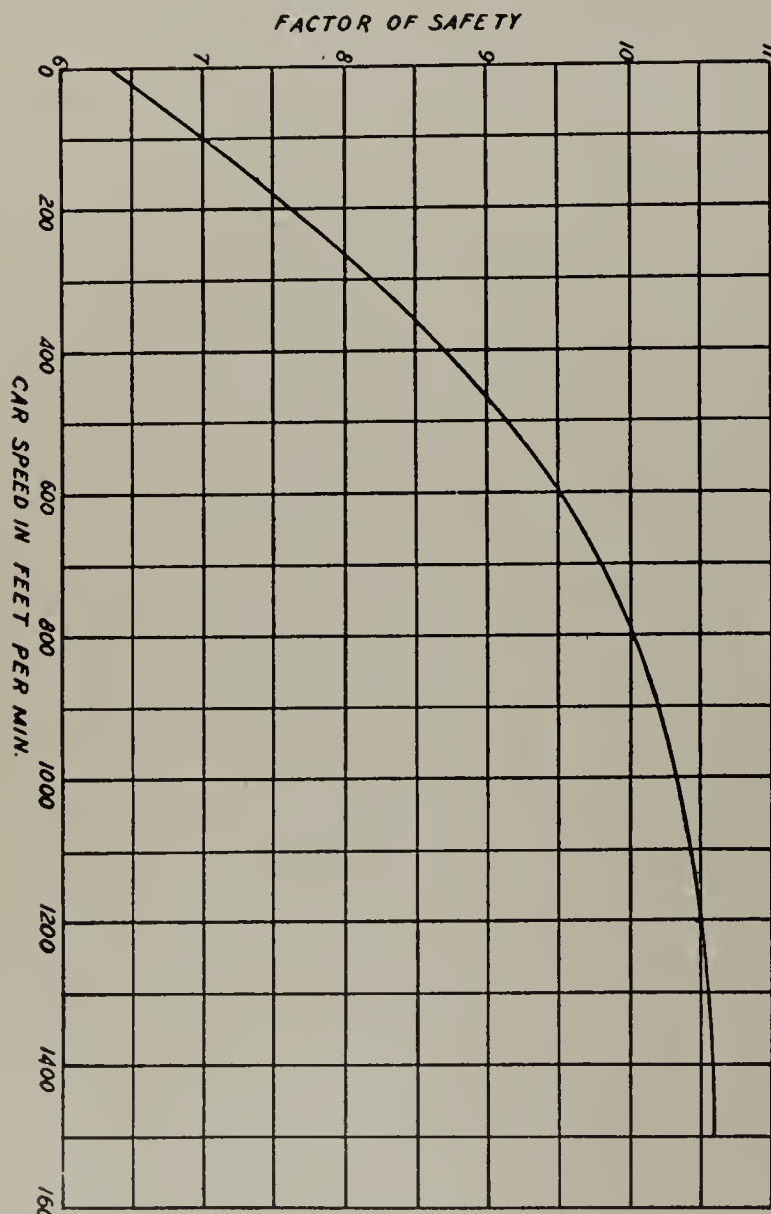


FIG. 6. FACTORS OF SAFETY FOR HOISTING AND COUNTERWEIGHT CABLES FOR FREIGHT ELEVATORS

The use of hoisting ropes less than $\frac{1}{2}$ -inch in diameter for elevators is forbidden (except that where conditions make impractical the use of rope of the size specified, the Commissioner may permit the use of rope $\frac{7}{16}$ of an inch in diameter).

3.5.1.6. Anchoring of Cables to Winding Drums.

Cables anchored to winding drums shall have at least one turn of cable on the winding drum when the car or counterweight has reached the extreme limit of its overtravel.

3.5.1.7. Lengthening or Repairing Cables by Splicing Forbidden.

The repair or lengthening of car or counterweight cables by splicing is forbidden.

3.5.1.8. Securing Winding Drum Ends of Cables.

The winding drum ends of car or counterweight cables shall be secured by clamps on the inside of the drums or by one of the methods specified in the following paragraphs for fastening cables to cars or counterweights.

3.5.1.9. Fastening Car and Counterweight Ends of Cables.

The car and counterweight ends of cables shall be fastened by individual tapered babbitted sockets, or by other methods approved by the Commissioner (except that spliced eyes and return loops are forbidden). Other fastenings may be used for compensating counterweight cables and for plunger elevators.

Adjustable shackle rods shall be used to attach cables to cars and counterweights in such a manner that all portions of the cable (except the portion in the socket) shall be readily visible.

3.5.1.10. Method of Socketing Cables.

If a babbitted socket is used, the length of the socket shall be at least 4.75 times the diameter of the cable. The hole at the small end shall be as given in the following table:

Nominal Diameter of Cable in Inches	Inside Diameter of Small End of Cable Socket
$\frac{1}{4}$ to $\frac{7}{16}$ inclusive	shall not be more than $\frac{1}{16}$ inch larger than actual cable diameter.
$\frac{1}{2}$ to $\frac{3}{4}$ inclusive	shall not be more than $\frac{3}{32}$ inch larger than actual cable diameter.
$\frac{7}{8}$ to $1\frac{1}{8}$ inclusive	shall not be more than $\frac{1}{8}$ inch larger than actual cable diameter.
$1\frac{1}{4}$ to $1\frac{1}{2}$ inclusive	shall not be more than $\frac{3}{16}$ inch larger than actual cable diameter.

The small end of the socket shall be free from cutting edges. The hole at the large end of the socket shall be at least $2\frac{1}{4}$ times the diameter of the cable. A socket shall be drop-forged steel, steel casting, or formed in a substantial block of cast iron. The socket shall be of such strength that the cable will break before the socket is perceptibly deformed.

The ends of wire rope shall be served with three seizings at each side of any point at which the rope is to be cut.

Only annealed iron wire shall be used as seizing wire. The wires should be wound tight and even. The twisted ends of the seizings shall be so placed that they fall into the valleys between strands and away from the end of the rope.

The first two seizings shall be at least $\frac{1}{2}$ -inch long, and the third seizing at least $\frac{3}{4}$ -inch long. The first seizing shall be close to the cut and the second seizing shall be spaced within $2\frac{1}{4}$ inches from the first seizing. The third seizing shall be at a distance from the second seizing equal to the length of the socket.

The use of tape as a substitute for annealed-iron-wire seizing is forbidden.

The ropes thus served shall be slipped into the socket a sufficient distance for manipulating and after removing the first two seizings the strands shall be opened up and the hemp center cut out as close as possible to the remaining seizing.

Then all grease shall be wiped off the extended strands and the lubricant carefully removed by washing with gasoline. The ends of the strands shall then be bent in and bunched close together, and the rope pulled back as far as possible so

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that the strands rest in the basket with the third seizing slightly projecting outside the mouth of the socket.

The socket, now being ready for pouring the babbitt, shall be warmed and shall be held vertical and truly axial with the rope to be socketed. Tape or waste may be wound around the rope at the base of the socket to prevent the metal from seeping through, but must be removed after the babbitt has cooled off. Pure babbitt only, free of dross, shall be used, heated to a temperature just sufficient to produce fluidity.

If the seizing and socketing has been done properly, the original and uniform relation of tension obtained by correct manufacture will be undisturbed; any loss of rope lay is a clear indication of careless seizing and socketing.

3.5.1.11. Reroping and Shortening of Cables.

Whenever an elevator is reroped or its ropes shortened, the top car and counterweight clearances shall be at least those specified in 2.1.4.3, *Top Clearances*.

3.5.2. Emergency Signals.

3.5.2.1. Emergency Signals or Telephones Required.

Automatic operation passenger or freight elevators (except sidewalk elevators the travel of which does not exceed 15 feet) shall be provided with an audible emergency signal operative from the car and located outside of the hoistway, or shall be provided with a telephone. The emergency alarm shall be clearly audible in the office, power house, or room in which an employee is ordinarily located.

3.5.2.2. Telephone Connection Required.

Passenger elevators in private residences shall be provided with a telephone permanently connected to a central exchange.

3.5.2.3. Signal Systems on Freight Elevator Hoistways.

The hoistway of every freight elevator (except automatic-operation and continuous pressure operation and sidewalk elevators) shall be provided with a signal system by means of which signals can be given from any landing whenever the elevator is desired at that landing.

RULE 4. HAND POWER ELEVATORS

4.1. Hoistway Construction.

4.1.1. Fire Resistive Hoistway Enclosures.

4.1.1.1. Hoistways to Be Fire Resistive.

Hoistway enclosures of all elevators shall comply with Section 373 of Article 18, of Chapter 5 of the Code of Ordinances, and, in factory buildings, with Title 3, Sections 261 and 270 of the Labor Law (except sidewalk elevators, the travel of which does not exceed one story).

4.1.1.2. Landing Openings to Be Protected.

Landing openings in a fire resistive hoistway enclosure shall be provided with fire resistive doors, panels or fronts which comply with Section 373 of Article 18, of Chapter 5 of the Code of Ordinances, and, in factory buildings, with Title 3, Sections 261 and 270 of the Labor Law (except that they must first comply with 2.3.1.1, *Automatic Fire Doors Functioning by Heat*). For elevators whose contract load is 2,000 pounds or more, the aggregate clear width of the hoistway doors shall be at least 30 inches and the clear height shall be at least 78 inches.

4.1.1.3. Strength of Hoistway Enclosures.

The hoistway enclosure adjacent to a landing opening shall be of sufficient strength to support in true alignment the hoistway doors with their operating mechanism.

4.1.2. Non-fire Resistive Hoistway Enclosures.

Non-fire resistive hoistway enclosures shall be permitted only for sidewalk elevators, the travel of which does not exceed one story. Where non-fire resistive construction is permitted, hoistways shall be enclosed to a height of 6 feet (except on the sides used for loading or unloading).

4.1.2.1. Materials for Enclosures.

Enclosures shall be building walls, solid or latticed partitions, of incombustible material, grillwork, metal grating, expanded metal or fire-proofed wood. Where wire grillwork is used, the wire shall be at least 0.0915 inches in diameter (Number 13 Steel Wire Gage), and the maximum size of mesh shall be 2 inches. Where expanded metal is used, its minimum thickness shall be 0.094 inches (Number 13 United States Gage).

The maximum spacing between vertical bars shall be 1 inch.

4.1.3. Clearance Between Cars and Hoistway Enclosures.

4.1.3.1. Clearance Between Car Platforms and Landing Saddle.

The maximum clearance between the car platform and the landing saddle shall be 3 inches for freight elevators and 2 inches for passenger elevators (except that where the operating rope is located at the side of the platform, this clearance shall not exceed 1 inch).

4.1.3.2. Clearance Between Hoistway Enclosure and Loading Side of Car Platform.

The maximum permissible clearance between a hoistway enclosure and a loading side of the car platform opposite a car entrance shall be 5 inches (except when the doors are installed wholly within the hoistway in which case the maximum permissible clearance shall be 7½ inches).

4.1.4. Overtravel for Hand Elevators.

An overtravel of at least 18 inches shall be provided at the top for hand elevators (except for sidewalk elevators). No overtravel is required at the bottom.

4.1.5. Machine Supports, Loads on Supports and Factors of Safety.

4.1.5.1. Machine Supports.

Machinery and sheaves shall be so supported and held as effectually to prevent any part from becoming displaced. The supporting beams shall be of steel or reinforced concrete. Beams are not required under machinery supported on independent foundations or on the floor of the machine rooms, if such foundation or floor is properly constructed to support the loads.

4.1.5.2. Loads on Supports.

Loads on overhead beams and their supports shall be computed as follows:

The total load on overhead beams shall be assumed as equal to the weight of all apparatus resting on the beams plus twice the maximum load suspended from the beams.

The load resting on the beams shall include the complete weights of machine, sheaves and similar equipment. The load suspended from the beams shall include the sum of the tensions of all cables suspended from the beams.

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4.1.5.3. Hanging of Machinery Underneath Supporting Beams.

The hanging of elevator machinery underneath the supporting beams at the top of the hoistway is forbidden (except for idler or deflecting sheaves with their guards and frames, devices for limiting or retarding the car speed and their accessories).

4.1.5.4. Factors of Safety.

The factor of safety for overhead beams and their immediate supporting beams based on the ultimate strength of the material which, if of steel, shall conform to the standard specifications of the American Society for Testing Materials, Designation, A 7-29, the loads being assumed as in 4.1.5.2, *Loads on Supports*, shall be at least the following:

For steel	4
For reinforced concrete	7

4.1.6. Gratings Under Machinery.

A metal grating capable of supporting 50 pounds per square foot shall be installed under the overhead machinery. Openings in such gratings shall reject a ball 1½ inches in diameter.

4.1.7. Thoroughfares Under Elevator Hoistways or Counterweights.

Thoroughfares under hoistways or counterweights are forbidden unless there is a structure under the hoistway or counterweight sufficiently strong to withstand the impact of the car with contract load, or the impact of the counterweight, when either is dropped freely in its guides from the upper limit of overtravel, provided that for cars or counterweights equipped with broken rope safeties and speed retarders, the impact shall be computed for the maximum attainable speed.

4.2. Hoistway Guards and Screens.

4.2.1. Hatch Covers for Sidewalk Elevators.

Where the top hatch opening of sidewalk elevators is wholly or partially outside the building wall, the hatch covers shall be of the hinged type or the vertically lifting type and shall be capable of sustaining a live load of 300 pounds per square foot. The maximum permissible dimensions of sidewalk openings shall be 5 feet at right angles to and 6 feet parallel to the building line (except by permission of the Borough President). The side of the opening nearest the building shall be 4 inches or less from the building wall (except that where conditions make this impractical this distance may be increased subject to the approval of the Commissioner).

Where hinged type covers are used, the line of the hinges shall be at right angles to the building line. Where the covers open toward any obstruction the space between the fully opened cover and such obstruction shall be at least 18 inches. Where vertical lifting covers are used, there shall be a clearance of at least 2 feet between the cover and any obstruction above it when the elevator is at the top of its overtravel.

Hatch covers shall be self-closing and the fastening or holding open of the covers when the car is away from the top landing is forbidden (except where the hatch opening is in an area inaccessible to the public).

Where the top hatch opening of sidewalk elevators is wholly inside the building wall, hinged or vertically lifting type covers may be used, or doors may be provided complying with 4.3, *Hoistway Doors*. Such doors shall be so arranged that they can only be opened or unlocked from the outside of the hoistway when the car is at the landing.

4.2.2. Counterweight Runways Outside of the Hoistway.

Runways for counterweights located outside of the elevator hoistway shall be solidly enclosed throughout their height (except that when the runway is located outside

of the building it shall be enclosed to a height of at least 7 feet from the ground).

4.3. Hoistway Doors.

4.3.1. Automatic Fire Doors Functioning by Heat.

No automatic fire door, the functioning of which is dependent on the action of heat, shall lock any landing opening in the hoistway enclosure of any passenger elevator or any exit leading from any hoistway landing door to the outside of the structure.

4.3.2. Protection of Landing Openings.

Landing openings in hoistway enclosures shall be protected by sliding or swing doors complying with the fire resistive requirements for doors in such enclosures.

In addition to such doors landing openings in hoistway enclosures shall be furnished with gates at least 30 inches high which close when the car leaves the landing unless the landing doors are made in two parts, one above the other, the lower part extending at least 30 inches above the floor, and arranged to open only after the upper part has been opened and which must be closed before the top part is closed.

4.3.3. Opening of Hoistway Doors.

Hoistway doors of elevators serving more than two floors shall not be openable from the landing side unless:

1. The word "ELEVATOR" is conspicuously displayed on the landing side of the doors, and,
2. Unless the hoistway door is equipped with two spring locks or latches, one of which is at least 6 feet above the floor.

4.3.4. Hanger Guards and Stops.

Means shall be provided to prevent hangers for all sliding hoistway doors from jumping the tracks. Stops shall also be provided to prevent the hanger carriage from leaving the ends of the track, or suitable stops may be provided on the door only.

4.3.5. Vision Panels.

For elevators which can be operated from outside of the hoistway, hoistway doors may be provided with a vision panel. Such panels shall be of clear wired glass with a maximum area of 80 square inches.

4.3.6. Strength of Hoistway Doors.

Hoistway doors shall withstand a force of 75 pounds applied perpendicularly to the door at any point without being sprung from their guides.

4.3.7. Size of Hoistway Doors.

Hoistway doors when closed shall guard the full width of the landing openings and shall extend the full height from the landing saddle to the top of the landing opening.

4.3.8. Door Counterweight Enclosures.

Door counterweights shall run in metal guides from which they cannot become dislodged, or shall be boxed in. The bottoms of the guides or boxes shall be so constructed as to retain the counterweight if the counterweight rope breaks.

4.4. Car Construction and Safeties.

4.4.1. Car Construction.

4.4.1.1. Car Enclosures.

Cars (except for sidewalk elevators) shall be enclosed on the top and sides not used for entrance. Enclosures shall be of solid or open-work rigidly braced with steel. Where slats, bars or wire mesh are used, the openings shall reject a ball 2 inches in diameter. Where sheet metal is used, it shall be at least as thick as Number 16 United States Gage. Where wire mesh is used, the wire shall be at least 0.135 inches in diameter (Number 10 Steel Wire Gage). Enclosures shall not deflect more than ¼ inch when a force of 75 pounds is applied perpendicularly to the enclosure at any point. The car

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enclosure shall be securely fastened to the car platform or frame so that it cannot work loose or become displaced in ordinary service.

Cars for sidewalk elevators shall be enclosed on the sides not used for entrance to the spring of the bow iron but at least 4 feet above the platform. If the enclosure is openwork of bars, slats or wire mesh the openings shall reject a ball 4 inches in diameter. Wire mesh enclosures shall be of wire at least 0.0915 inches in diameter (Number 13 Steel Wire Gage).

4.4.1.2. Materials and Factors of Safety.

Car frames and platforms shall be of metal or sound seasoned wood designed with a factor of safety of at least four for metal or six for wood on the contract load uniformly distributed. The frame members shall be securely bolted and braced.

4.4.1.3. Use of Glass.

The use of glass is forbidden in elevator cars (except to cover certificates, directories, lighting fixtures and appliances necessary for the operation of the car). The maximum size of a piece of glass shall be 1 square foot unless laminated or otherwise shatterproof, but the total area of such glass used in the car in connection with lighting fixtures, whether in one or more pieces, shall be at most 4 square feet.

4.4.1.4. Protection of Cars Operating in Hoistways Outside of Structures.

Elevator cars, operating in hoistways outside of structures, which are enclosed only at the ground landing, shall be protected on the exposed sides by independently operated gates or by self-closing gates.

4.4.2. Car Compartments.

Hand elevator cars upon which persons are permitted to ride shall have only one compartment.

4.4.3. Car Safeties.

If the rise of an elevator exceeds 15 feet it shall be equipped with an approved safety device attached to the under side of the car which will immediately stop and hold the car and contract load, if the suspension means breaks.

4.4.4. Capacity and Loading.

4.4.4.1. Minimum Contract Load of Passenger Elevators.

The contract load of passenger elevators shall be at least 50 pounds per square foot of platform area inside of the car enclosure.

4.4.4.2. Information Plate Required.

A metal plate shall be fastened in a conspicuous place in the elevator car and shall bear the following information, in at least 1/4 inch letters or figures, stamped, etched or raised on the surface of the plate:

1. The contract load of the elevator in pounds.
2. The maximum number of passengers to be carried, based on 150 pounds per person (if a passenger elevator).

4.4.4.3. Tests.

A contract load test of every new hand power elevator as to operation of the car safety, brake and speed retarding devices shall be made before the elevator is placed in regular service.

4.5. Guides, Buffers and Counterweights.

4.5.1. Guide Rails.

Car and counterweight guide rails shall be of steel or wood (except that where the car travel exceeds 35 feet and in structures over 150 feet tall, the rails shall be of steel). Joints in steel rails shall be either tongued and grooved or doweled and fitted with splice plates. Joints

in wood rails shall be tongued and grooved or doweled and screwed to backing pieces or brackets. Guide rails shall be securely fastened with through bolts, wood screws, or clips of such strength, design and spacing that the maximum deflection of the guide rails and their fastenings under normal operation shall be 1/4 inch or less, particularly where in contact with the guide shoe when the car is at the landing. Guide rails shall withstand the application of the safety when stopping a fully loaded car or the counterweight. The guiding surfaces of the guide rails for elevators requiring safeties shall be finished smooth. Guide rails shall be "bottomed" on suitable supports and extended at the top to prevent guide shoes running off in case the overtravel is exceeded.

4.5.2. Car and Counterweight Buffers.

Car buffers of the spring type or their equivalent shall be installed in the pits of passenger elevators.

Buffers shall be located symmetrically with reference to the center of the car.

4.5.3. Counterweights.

Counterweights shall run in guide rails and shall not be boxed unless incombustible material is used.

Sections of counterweights for passenger elevators, whether carried in frames or otherwise, shall be secured by at least two tie-rods passing through holes in the section. The tie-rods shall have lock nuts at each end. The lock nuts shall be secured by cotter pins.

4.6. Machines and Suspension Members.

4.6.1. Machines and Machinery.

4.6.1.1. Brakes Required.

Elevators shall be equipped with a hand brake operating in both directions of motion or a combined automatic brake and speed retarder operating in both directions of motion (except when motive power is derived through use of a self-locking or non-overhauling worm gear drive).

4.6.1.2. Factors of Safety.

The factors of safety based on the static loads to be used in designing parts of hoisting machines shall be at least eight for wrought iron or steel and ten for cast iron or other materials.

4.6.1.3. Set Screw Fastenings.

The use of set screw fastenings instead of keys or pins is forbidden (except where the connection is not subject to torque).

4.6.1.4. Suspension of Sheaves or Idlers.

The suspension of sheaves or idlers in cast iron stirrups from the under side of the supporting beams is forbidden.

4.6.1.5. Conversion to Power Elevator Forbidden.

Equipping a hand power elevator machine with any means or attachment for applying any other power is forbidden, unless such elevator is permanently and completely converted into a power elevator complying with the requirements for power elevators.

4.6.1.6. Rope Gripping Attachments or Clutch Mechanisms.

The application of power to hand elevators by means of rope gripping attachments or clutch mechanisms is forbidden.

4.6.2. Suspension Members.

4.6.2.1. Suspension Fastening Tag.

A metal tag shall be attached to the suspension fastenings stating the sizes, rated ultimate strength and material of the suspension and the date of its installation.

4.6.2.2. Suspension Members and Factor of Safety.

The number of suspension members for both

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car and counterweight shall be at least two. Suspension members shall be of iron, steel or marline covered.

The factor of safety used in determining the size of the suspension member shall be at least five, based on the weight of the car and its contract load.

4.6.2.3. Adjustment of Suspension Members.

Suspension members shall be so adjusted that either the car or the counterweight shall bottom before the counterweight or the car strikes any part of the overhead structure.

4.6.2.4. Securing of Suspension Members.

Suspension members secured to a winding drum shall have at least one complete turn of the suspension member around the winding drum when the car or counterweight has reached the extreme limit of its overtravel.

The drum end of cables shall be secured by clamps or sockets inside the drum.

4.6.2.5. Platform Elevators.

Platform elevators shall not be used for passenger service or for a travel of over 15 feet and shall not have a platform area greater than 50 square feet.

RULE 5. DUMBWAITERS

5.1. Hoistway Construction.

5.1.1. Fire Resistive Hoistway Enclosures.

5.1.1.1. Hoistways to Be Fire Resistive.

Hoistway enclosures of dumbwaiters shall comply with Section 373 of Article 18 of Chapter 5 of the Code of Ordinances and, in factory buildings, with Title 3, Sections 261 and 270 of the Labor Law (except dumbwaiters the travel of which does not exceed one story).

5.1.1.2. Landing Openings to Be Protected.

Landing openings in a fire resistive hoistway enclosure shall be provided with fire resistive doors, panels or fronts which comply with Section 373 of Article 18 of Chapter 5 of the Code of Ordinances, and, in factory buildings, with Title 3, Sections 261 and 270 of the Labor Law.

5.1.2. Use of Non-Fire Resistive Hoistway Enclosures.

5.1.2.1. Non-Fire Resistive Enclosures.

Non-fire resistive hoistway enclosures shall be permitted only for dumbwaiters the travel of which does not exceed one story. Where non-fire resistive enclosures are permitted, hoistways for power dumbwaiters shall be enclosed to the full height of the hoistway (except on the sides used for loading or unloading).

5.1.2.2. Enclosure of Hoistway Sides Used for Loading and Unloading.

The hoistways of power dumbwaiters shall be enclosed from floor to ceiling (except for the landing opening).

5.1.2.3. Materials for Enclosures.

Enclosures shall be building walls, solid or latticed partitions, of incombustible material, grillwork, metal grating, expanded metal or fireproofed wood. Where grillwork is used, the wire shall be at least 0.0915 inches in diameter (Number 13 Steel Wire Gage) and the maximum size of mesh shall be 2 inches. Where expanded metal is used its minimum thickness shall be 0.094 inches (Number 13 United States Gage).

The maximum spacing between vertical bars shall be 1 inch.

5.1.2.4. Netting Required on Enclosures.

When either of the following conditions exists, openings in the enclosures shall be covered with a netting of square mesh $\frac{1}{2}$ inch or less in size made of wire at least 0.0348 inches in diameter (Number 20 Steel Wire Gage):

1. The clearance between the enclosure and any part of the car, counterweight or any sliding landing door is less than 1 inch.
2. The enclosure is grill or open work having openings which will pass a $\frac{1}{2}$ inch diameter ball, and the openings in the enclosure are less than 6 feet above any landing, stairway, floor or platform.

5.1.3. Supports and Factors of Safety.

5.1.3.1. Machine Supports.

Machinery and sheaves shall be so supported and held as effectually to prevent any part from becoming displaced. The supporting beams shall be of steel or reinforced concrete (except that where the travel does not exceed four floors or 50 feet, wood beams may be used). Beams are not required under machinery supported on independent foundations or on the floor of the machine rooms, if such foundation or floor is properly constructed to support the loads.

5.1.3.2. Loads on Supports.

Loads on overhead beams and their supports shall be computed as follows:

The total load on overhead beams shall be assumed as equal to the weight of all apparatus resting on the beams plus twice the maximum load suspended from the beams.

The load resting on the beams shall include the complete weights of machine, sheaves, controller (if used) and similar equipment. The load suspended from the beams shall include the sum of the tensions of all cables suspended from the beams.

5.1.3.3. Factors of Safety.

The factor of safety for overhead beams and their immediate supporting beams, based on the ultimate strength of the material which, if of steel, shall conform to the standard specifications of the American Society for Testing Materials, Designation A 7-29, the loads being assumed as in 5.1.3.2, *Loads on Supports*, shall be at least the following:

For steel.....	4
For reinforced concrete.....	7
For timber.....	9

5.1.4. Thoroughfares Under Dumbwaiters and Their Counterweights.

Thoroughfares under hoistways of dumbwaiters or their counterweights are forbidden unless there is a structure under the hoistway sufficiently strong to withstand, without injury, the impact of the car with contract load, or the impact of the counterweight, when either is dropped freely in its guides from the upper limit of overtravel; provided that, for cars or counterweights equipped with governor operated safeties, the impact shall be computed for governor tripping speed.

When broken rope safeties are used, the impact shall be computed for a free drop of the car from one-third of its travel.

5.1.5. Counterweight Runway Enclosures.

Runways for counterweights located outside of the dumbwaiter hoistway shall be solidly enclosed throughout their height (except that when the runway is located outside of the structure it shall be enclosed to a height of at least 7 feet from the ground).

5.1.6. Cable Enclosures.

Where cables of power dumbwaiters pass through floors outside the hoistway enclosures, such cables shall

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be guarded to a height of at least 6 feet from each floor with a standard power transmission guard. Floor openings shall be not greater than necessary for the free passage of the cables.

5.2. Landings.

5.2.1. Doors at Dumbwaiter Landings.

5.2.1.1. Doors Required on Dumbwaiter Landing Openings.

Landing openings in power dumbwaiter enclosures and in fire resistive enclosures for hand power dumbwaiters shall be equipped with doors.

5.2.1.2. Doors at Power Dumbwaiter Landings.

Hoistway doors for power dumbwaiters shall be equipped with electric contacts and locks which will prevent the operation of the machine while any hoistway door is open and prevent the opening of the door unless the car is at a landing.

5.3. Dumbwaiter Construction.

5.3.1. Car Construction.

5.3.1.1. Strength and Stiffness.

Dumbwaiter cars shall be of such strength and stiffness that they will not deform appreciably if the load leans or falls against the sides of the car.

5.3.1.2. Materials and Construction.

Cars shall be made of wood, fireproofed wood or metal, reinforced at the point of suspension.

Metal cars, if sectional, shall be rigidly riveted, welded or bolted together. Cars may be provided with hinged, removable or movable shelves and, also, may have such other sectional parts as are desired.

5.3.1.3. Allowable Loads.

Dumbwaiter cars, machines and suspension means shall at least be capable of sustaining the contract load.

Cars having a platform area of 4 square feet or more shall be capable of sustaining the loads given in the following table, but the motive power may be insufficient to raise the structural capacity load:

Minimum Allowable Dumbwaiter Capacities Corresponding to Effective Platform Area	
Horizontal Area in Square Feet	Structural Capacity in Pounds
4	100
5	150
6.25	300
9	500

5.3.1.4. Information Plate.

A metal plate bearing the name of the manufacturer and the contract load shall be placed in a conspicuous place in the dumbwaiter car and on the machine.

5.3.2. Dumbwaiter Machines.

5.3.2.1. Fastenings and Factors of Safety.

Dumbwaiter machines shall be securely fastened to their supports. The factors of safety, based upon the ultimate strength of the material, and the contract load plus the weight of the car, suspension means, counterweights, and similar apparatus to be used in the design of dumbwaiter machines shall be at least six for steel and nine for cast iron or other materials. The use of set screw fastenings in place of keys or pins is forbidden (except where the connection is not subject to torque).

5.3.2.2. Suspension of Sheaves or Idlers.

The suspension of sheaves or idlers in cast iron stirrups from the under side of the supporting beam is forbidden.

5.3.3. Guides.

5.3.3.1. Material for Guides.

Guides shall be of wood or metal (except that metal guides shall be used where the travel exceeds four floors or 50 feet and in structures over 150 feet tall).

5.3.3.2. Fastenings and Joints of Guides.

Guides shall be rigidly secured to the hoistway and the joints of metal guides either tongued and grooved or doweled and fitted with splice plates. Joints in wood guides shall be tongued and grooved or doweled and screwed to backing pieces or brackets.

One set of guides may be used for both the car and the counterweight.

5.3.4. Counterweights.

Counterweights for hand dumbwaiters and for power dumbwaiters with a contract load of less than 100 pounds and a contract speed of less than 100 feet per minute, if sectional, shall be carried in suitable frames.

Sections of counterweights for power dumbwaiters having a capacity exceeding 100 pounds or a speed exceeding 100 feet per minute, shall be secured by at least two tie-rods passing through holes in all sections, unless suitable counterweight frames or boxes are provided. The tie-rods shall have lock nuts at each end. The lock nuts shall be secured by cotter pins.

5.3.5. Suspension Means.

5.3.5.1. Required Suspension Means.

Suspension means for hand dumbwaiters may be of hemp.

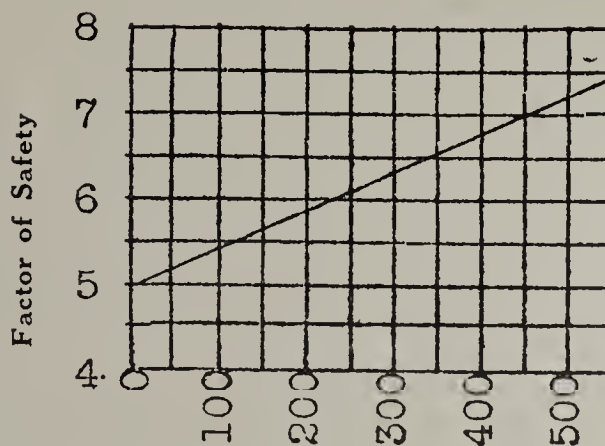
Suspension means for power dumbwaiters shall be of metal and where exposed to corrosion shall be provided with a suitable protective covering. Suspension means may consist of a single member.

5.3.5.2. Factor of Safety.

The minimum factor of safety of the suspension means for power dumbwaiters shall be at least the values given in the following figure corresponding to the contract speed of the car.

The minimum factor of safety of suspension means for hand power dumbwaiters shall be five.

The minimum factor of safety for tapes shall be 25 per cent greater than that given in the following figure:



Contract Speed (Feet per Minute)

FIG. 7. FACTOR OF SAFETY

5.3.5.3. Number and Size of and Computed Load on Suspension Means.

The number and size of the suspension means shall be determined by using the factor of safety found in 5.3.5.2, *Factor of Safety*, and the rated ultimate strength of the suspension means. The computed load on the suspension means shall be

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the sum of all suspended weights, plus the contract load.

5.3.5.4. Lengthening or Repairing of Suspension Means by Splicing Forbidden.

Lengthening or repairing the car or counterweight suspension means of dumbwaiters by splicing is forbidden.

5.3.5.5. Securing of Winding Drum Ends of Suspension Means.

The winding drum ends of the car and counterweight suspension means shall be secured by clamps or sockets inside the winding drum.

Suspension means secured to a winding drum shall have at least one turn on the winding drum when the car or counterweight has reached the extreme limit of its overtravel.

5.4. Speed, Control and Safeties for Power Dumbwaiters.

5.4.1. Speed and Control.

5.4.1.1. Maximum Speed for Dumbwaiters Controlled by Hand Ropes.

The maximum permissible speed for power dumbwaiters controlled by hand ropes shall be 50 feet per minute.

5.4.1.2. Guards Required.

Guards which will keep the ropes on the sheaves shall be installed unless means are used to maintain the hand ropes in proper tension automatically.

5.4.1.3. Brakes Required.

Power dumbwaiters (except hydraulic dumbwaiters) shall be equipped with brakes which are automatically applied when the power is cut off the motor.

5.4.2. Slack Cable Devices Required.

Power dumbwaiters operated by winding drum machines, shall be provided with a slack cable device which will cut off the power and stop the machine if the car is obstructed in its descent.

5.4.3. Terminal Stops.

Power dumbwaiters shall be provided with means, independent of manual operation, to stop the car automatically at each terminal within the limits of overtravel.

RULE 6. ESCALATORS

6.1. Escalator Construction.

6.1.1. Angle of Inclination.

The maximum angle of inclination of an escalator shall be 30 degrees from the horizontal.

6.1.2. Width of Escalators.

The width of an escalator shall be measured between the balustrading at a vertical height of 24 inches above the nose line of the treads.

Escalators shall be between 22 and 48 inches wide.

Escalators wider than 29 inches shall have a horizontal tread formation.

6.1.3. Balustrading.

6.1.3.1. Form and Changes in Width of Balustrade.

Escalators shall be provided on each side with "solid balustrading." On the escalator side the balustrading shall be smooth, without depressed or raised paneling or molding. Glass panels in balustrading are forbidden.

Abrupt changes in the width between the balustrading on the 2 sides of the escalator are forbidden. Should any change in the width be necessary, the maximum change shall be 8 per cent of the greatest width.

In changing from the greater to the smaller width the maximum change in the direction of

the balustrading shall be 15 degrees from the line of the escalator travel.

6.1.3.2. Handrail Required.

Each balustrading shall be equipped with a handrail moving at the same speed and in the same direction as the travel of the escalator.

6.1.4. Treads and Landings.

Escalator treads and landings shall be of material affording secure foothold such as wood and material used for "safety treads." If the landing is of concrete, it shall have edge insertions of metal, wood or other material to prevent slipping.

6.1.5. Strength of Trusses or Girders.

6.1.5.1. Factor of Safety.

The factor of safety to be used in the design of escalator trusses or girders shall be at least 5, based on the static loads.

6.1.5.2. Design of Trusses or Girders.

The escalator truss or girders shall be so designed that it will safely retain the steps and running gear in case of failure of the track system to retain the running gear in its guides.

6.1.6. Track Arrangement.

The track arrangement shall be designed to prevent the displacement of the treads and running gear if the tread chain breaks.

6.1.7. Capacity and Loading.

The contract load on an escalator 24 inches or less in width shall be computed by the following formula:

$$\text{Contract load} = 110 A$$

The contract load on an escalator between 24 and 48 inches wide shall be computed by the following formula:

$$\text{Contract load} = 4.6 W A$$

In these formulae W is the width of the escalator in inches and A is the horizontal projected length in feet of the exposed treads. The contract load shall be expressed in pounds.

6.2. Safety Requirements for Escalators.

6.2.1. Limits of Safety.

The maximum permissible speed of an escalator measured along the angle of inclination shall be 125 feet per minute, (except that if the line of entrance and exit is not in the vertical plane of travel, the maximum permissible speed shall be 100 feet per minute).

6.2.2. Application of Power.

Escalators shall be driven by individual electric motors. Two or more escalators placed side by side and operated as a single unit may be driven by one motor.

Chains shall have a factor of safety of at least 10 (except where the chain is composed of cast steel links thoroughly annealed, when the factor of safety shall be at least 20).

6.2.3. Escalator Safeties.

6.2.3.1. Brakes Required.

Every escalator shall be provided with an electrically released, mechanically applied brake which shall stop the escalator automatically when the power is interrupted from any cause.

6.2.3.2. Emergency Stop Button or Switch.

An emergency stop button or other type of switch accessible to the public shall be conspicuously located at the top and bottom of each escalator landing.

The operation of either one of these buttons or switches shall open the power circuit, apply the brake and stop the escalator. It shall be impossible to start an escalator by means of these buttons or switches.

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These buttons or switches shall be marked "ESCALATOR STOP BUTTON OR ESCALATOR STOP SWITCH."

Where starting buttons or switches are accessible to the public they shall be either of the key-operated type or they shall be enclosed in a box provided with a lock and key.

6.2.3.3. Safety Mechanisms on Ascending and Reversible Escalators.

Escalators operating in the ascending direction shall be equipped with a safety mechanism so that in case of accidental reversal of the escalator the power shall be shut off, the brake applied and the escalator stopped. On a reversible escalator this safety mechanism shall be arranged to be inoperative when the escalator is descending and operative when the escalator is ascending.

6.2.3.4. Escalator Safety Mechanism Operative.

Escalators shall be provided with a safety mechanism which will open the power circuit, apply the brake and bring the escalator to a gradual stop, in case the speed exceeds the normal running speed by 40 per cent.

6.2.3.5. Safety Device to Operate When Tread Chains Break.

Escalators shall be provided with a safety device to open the power circuit, apply the machine brake, and bring the escalator to a gradual stop, in case the tread chain or chains break.

6.2.3.6. Retention of Tension Weights.

Where escalators are equipped with tightening devices operating by means of tension weights, provision shall be made to retain these weights in the escalator truss in case the weights should fall.

6.2.3.7. Polyphase Alternating Current Motors.

Each escalator operated by a polyphase alternating current motor shall be provided with a device which will prevent starting the motor while

(1) The phase rotation is in the wrong direction, or

(2) There is a failure of any phase.

6.2.4. Machine Room Lights and Access.

6.2.4.1. Lighting Required.

Suitable lights which can be lighted without passing over or reaching over any part of the machinery shall be provided in every escalator machine room.

6.2.4.2. Access to Interior of the Escalator.

Reasonable access to the interior of the escalator shall be provided for inspection and maintenance.

6.2.5. Marking of Escalators.

Each escalator shall be marked by the manufacturer with the contract load and speed for which that size and type has been tested and approved in accordance with 8.3, *Escalator Tests*. Such marking shall be accepted in lieu of actual load tests made on each escalator installation.

6.2.6. Tests and Approvals of Escalators.

Before any escalator of any contract load and type is put in service an escalator of the same load and type shall have been tested by the Commissioner either when installed in a structure or in the manufacturer's shop with contract loads on the basis of the engineering tests listed in 8.3, *Escalator Tests*.

Each escalator installation shall be tested in the field without load in accordance with 8.3, *Escalator Tests*.

RULE 7. INSPECTION, MAINTENANCE AND OPERATION

7.1. Inspection and Maintenance.

7.1.1. Responsibility.

7.1.1.1. Responsibility of Owner.

The owner shall be responsible for the safe operation and proper maintenance of the elevator, escalator or dumbwaiter after it has been put in service and has been approved by the Commissioner.

7.1.1.2. Responsibility for Inspection and Maintenance.

The owner or his duly appointed agent shall cause periodic inspections to be made and shall maintain all parts of the elevator, escalator or dumbwaiter installation in proper working order in accordance with these Rules.

7.1.2. Inspection.

At least quarterly hoistway doors, car gates, interlocks, contacts, control apparatus, controller, automatic stop, limit stops, car and counterweight cables, "safeties," guide rails, buffers, elevator machines and the lighting of the car and of the machine room, in passenger and freight elevator installations, shall be thoroughly inspected by the Commissioner.

At least once in 3 years plunger shoes, by-passes and piston rods of hydraulic elevators shall be exposed and thoroughly cleaned by the owner and inspected by the Commissioner.

At least once in 3 years pressure and discharge tanks of hydraulic elevators shall be thoroughly cleaned by the owner and internally inspected by the Commissioner.

Car safeties shall be periodically inspected to determine the condition of the sliding surfaces and the working parts. Tests of safeties shall be made at least once a year. Governor controlled safeties shall be tested at the lowest operating speed and with 50 per cent of the contract load. Broken rope instantaneous type safeties may be tested without load.

7.1.3. Maintenance.

Cables, guides and all parts of machinery shall be kept well lubricated. The oil in bearings and gear casings shall be renewed every 6 months.

Pressure tanks of hydraulic elevators shall be tested at least once every 3 years with hydrostatic pressure 50 per cent in excess of the maximum working pressure.

7.1.4. Care of Installation.

Elevator hoistways and pits shall be kept clean. Accumulation of rubbish in or use of elevator pits for storage is forbidden.

Material not a permanent part of the elevator equipment shall be kept off the top or cover of an elevator car.

Substitution of any wire or current carrying device for the proper fuse or circuit breaker in an elevator circuit is forbidden.

Freight elevators shall have legible signs posted in the car and at each landing prohibiting unauthorized persons from riding in or on the elevator car.

The water level in the pressure tank of a hydraulic elevator shall be maintained at 2/3 of the capacity of the tank.

7.2. Qualifications and Duties of Operators.

7.2.1. Qualifications of Operators.

Operators shall be at least 18 years of age, free from serious physical or mental defects and selected with consideration of their ability to perform their duties in a careful and competent manner.

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7.2.2. Training of Operators.

Sufficient previous experience or training under the direction of a competent instructor shall be required before a new operator is placed in charge of a passenger elevator.

7.2.3. Instructions to Operators.

Operators shall be instructed:

1. To be sure the control mechanism is in the "STOP" position before closing the service switch.
2. To report any defects promptly to the person in charge.
3. Not to make any repairs, adjustments or replacements.
4. To carry no passengers or freight while inspections, repairs or adjustments are in progress and to operate the car only in response to directions from the inspector or person in charge.
To move the car when anyone is in the pit or on top of the car only as they may direct.
5. Not to ride in the elevator nor allow others to ride while a safe or other heavy object in excess of the rated capacity of the elevator is being carried.
6. That the use of any hand elevator for carrying safes or other concentrated loads greater than the normal rated capacity of the elevator is forbidden.
7. That hoistway doors shall always be locked in the closed position and car doors or gates closed before the car is started.
8. To keep car gates or doors, if any, closed while running, and where no car gates or doors are provided to keep passengers away from the open edge of the car platform.
9. To limit the number of passengers to the rated capacity of the car and to prevent crowding.
10. Not to reverse the control suddenly, but to stop before reversing.
11. To move the control mechanism to the "STOP" position on approaching a terminal landing without waiting for the terminal stopping device to come into action.
12. To move the control mechanism to the "STOP" position and start the car in the usual manner upon return of the power, if the power goes off while the car is in motion.
13. To stay on the car if the car refuses to stop because the car will be stopped by the application of the safeties if it attains excessive speed of descent or by the automatic terminal stops at either end of the hoistway.
14. To call for the person in charge and to operate the machine only at his direction if the car should stop suddenly.
15. To return the control to the "STOP" position if the car fails to start. To remove part of the load and try the controller if the car is apparently overloaded. If the car fails, to return the controller to the "STOP" position and to notify the engineer or other qualified person.
16. To lock the hand-rope on hand-rope controlled cars before allowing freight to be loaded or unloaded.
17. To familiarize themselves with the emergency devices, understand their function and know how to operate them.
18. Never to leave the car in the ordinary course of operation nor leave the control mechanism operative, unless the landing door is closed and locked and the car gate or door is closed.
19. Always to leave a hydraulic elevator operator by a lever at the lower landing with the lever in the position for down motion.

7.3. Carrying of Freight or Passengers on Top of Elevator Cars.

The carrying of freight or passengers on top of elevator cars is forbidden.

RULE 8. TESTS AND APPROVALS

8.1. Tests of Interlocks.

Hoistway-door interlock devices shall be examined with respect to their proper performance of the prescribed functions at temperatures 100 degrees Fahrenheit (56 degrees Centigrade) above or below the temperature at which the device is adjusted. Where the functioning of any such device might be affected by a change of temperature, and coefficients of thermal expansion of the affected parts are known or measured, the effect of temperature may be computed and tests need not be carried out at more than one temperature.

For interlocks employing a single switch operated by wire or tape to protect several hoistway doors, the switch shall be marked with the physical properties of the wire or tape used, and the certificate of approval shall cover the allowable maximum length of tape or wire of a given material which may be used with the device.

Where the coefficient of expansion might adversely affect the performance of the interlock, the use of Invar or similar alloys with a low coefficient of expansion is recommended. The coefficient of expansion of Invar is approximately 1/28 that of steel.

Interlocks shall have electrical parts connected in series in a circuit in which 2 amperes is flowing from a source of 220 volts direct current. During the tests 8.1.1, *Endurance Test*; 8.1.3, *Tests in Moist Atmosphere*; and 8.1.4, *Tests Without Lubrication*, the electrical circuit shall be closed, but shall not be broken at the contact within the device on each cycle of operation.

A separate device shall be used in each of tests 8.1.1, *Endurance Test*; 8.1.3, *Tests in Moist Atmosphere*; and 8.1.4, *Tests Without Lubrication*.

8.1.1. Endurance Test.

The interlock device with initial lubrication and adjustment only shall complete 100,000 cycles of operation without failure of any kind and without evident indications of approaching failure. If an interlocking device is not a complete and separate unit for each hoistway door, but includes any part which is common to the interlock operation of more than one hoistway door, that portion of the device shall complete 400,000 additional cycles of operation (or a total of 500,000) without failure of any kind and without evident indication of approaching failure.

8.1.2. Current Interruption Test.

1,000 cycles of operation shall be performed by the device used in 8.1.1, *Endurance Test*, while making and breaking the circuit at the contact within the device with a resistance-loaded circuit.

8.1.3. Tests in Moist Atmosphere.

Preliminary to this test the device is to be given a wearing-in run of 10,000 cycles of operation fully lubricated. The interlocking device (except self-lubricating bearings and bearings of a type not requiring frequent replacement of lubricant) shall be taken apart and freed of lubricant by washing in gasoline. The device shall after reassembling be subjected continuously in a closed hoistway to an atmosphere saturated with a 3½ per cent solution of sodium chloride for 72 consecutive hours (being operated for only 10 consecutive cycles at the end of each of the first two 24-hour periods) and allowed to stand exposed to the air for an additional 24 hours, and shall not fail in a manner to create an unsafe condition.

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After having been lubricated it shall then without adjustment and without further attention complete 15,000 cycles of operation without failure of any kind.

8.1.4. Tests Without Lubrication.

Preliminary to this test the device is to be given a wearing-in run of 10,000 cycles of operation fully lubricated. The interlocking device shall then be taken apart and all bearings (except self-lubricating bearings and bearings of a type not requiring frequent replenishment of lubricant) freed of lubricant by washing in gasoline, and shall after reassembling without other attention than the usual initial adjustment (that is, without adjustment especially made to meet the conditions of this particular test) and without further attention, complete 25,000 cycles of operation without failure of any kind or without evident indication of approaching failure.

8.1.5. Misalignment Test.

The device shall operate successfully when the car has been displaced horizontally from its normal position;—that is, the one in which it was when the device was installed,—successively as follows:

- (1) In a direction perpendicular to the edge of the landing

Backward $\frac{1}{4}$ inch
Forward $\frac{1}{4}$ inch

- (2) In a direction parallel with the edge of the landing

To the right $\frac{1}{4}$ inch
To the left $\frac{1}{4}$ inch

For horizontal sliding doors the device shall operate successfully,

- (3) When the bottom of the hoistway door has been displaced horizontally from its normal position in a direction perpendicular to the edge of the landing

Backward $\frac{1}{4}$ inch
Forward $\frac{1}{4}$ inch

- (4) When the top of the hoistway door has been displaced horizontally from its normal position in a direction perpendicular to the edge of the landing

Backward $\frac{1}{8}$ inch
Forward $\frac{1}{8}$ inch

8.1.6. Insulation Test.

Insulation of electrical parts shall be tested with a 60 cycle effective voltage twice the rated voltage plus 1,000 volts, applied for one minute.

8.2. Tests of Buffers.

Each type and size of oil buffer shall be subjected to the following tests as described below:

1. Retardation Test.
2. Oil Leakage Test.
3. Churning Test.
4. Plunger-Return Test.
5. Test for Lateral Movement of Plunger.

8.2.1. Retardation Test.

The buffer shall be installed upon a suitable foundation so that the axis of the cylinder is vertical. It shall be filled with oil provided by the manufacturer.

An elevator car of suitable size shall be dropped from 2 different heights as specified below, freely in its guides, upon the buffer. The method shall be as follows:

The travel of the car after it comes in contact with the plunger, and of the plunger for its entire stroke, shall be recorded on a drum chronograph. The error in the time readings of the chronograph shall not exceed 0.005 seconds. The peripheral speed of the drum shall be approximately that of the car at the instant of impact. Pressure-travel or pressure-time records shall be taken simultaneously.

From the time-travel curve the velocity and the retardation of the car shall be computed, and plots made of the car travel, car velocity and car retardations, together with the pressure-time curve. Copies of each curve shall be furnished the manufacturer.

SCHEDULE OF DROPS

Test drop in inches bottom of car to striker or top of buffer.	Total load in pounds (weight of car plus loading).
A S (the effective stroke of the buffer in inches).	1. Manufacturer's rated minimum. 2. Manufacturer's rated maximum. 3. 110 per cent manufacturer's rated maximum.
B Buffer stroke under 24 inches..... .51S 24 inches to 30 inches56S Exceeding 30 inches .64S	1. Manufacturer's rated minimum. 2. Manufacturer's rated maximum. 3. 110 per cent manufacturer's rated maximum.

No acceleration peak having a duration greater than $\frac{1}{25}$ second shall exceed $2\frac{1}{2}$ times gravity ($80\frac{1}{2}$ feet per second per second) for tests A-1 and A-2 and B-1 and B-2. Results of A-3 and B-3 shall be recorded for the purpose of examination to detect any abnormal performance. Upon completion of tests no part of the buffer shall show any deformation or injury.

8.2.2. Oil Leakage Test.

The oil leakage test shall be made simultaneously with the retardation tests. The oil level in the buffer when filled prior to test shall be carefully marked. At the completion of the 6 drops (3 different loads at each of 2 speeds), the buffer shall be allowed to stand one-half hour to permit the return of the oil to the reservoir and to permit the escape of any entrained air, after which the oil level shall again be measured. The oil level at the completion of these tests should be unchanged, and shall in any case be less than $\frac{1}{16}$ inch lower than the level at the start of the test for each foot of buffer stroke.

8.2.3. Churning Test.

In the churning test the time of the buffer stroke after the car has dropped a distance equivalent to the stroke of the buffer shall be determined either from the chronograph record or by means of an automatic timer. Any automatic timing device shall be accurate, having the minimum possible lag, and be capable of being read to 0.01 seconds.

The car shall then be run on to the buffer with cables attached at approximately one-half the velocity used in retardation test B at intervals of one minute until 10 such strokes have been made. The oil shall then be examined for form. No oil foam shall appear on the outside of the buffer following this test. Upon completion of the 10 strokes at one-half speed another free-fall equivalent to the buffer stroke shall be made immediately and the time of the stroke taken. The time of this second free-fall test shall be at least 75 per cent of that of the drop test made prior to the churning.

8.2.4. Plunger-Return Test.

In the buffer test the buffer shall not stick on the return stroke after removal of the load. In case of sticking the manufacturer shall submit either a duplicate

RULES

buffer or a new pressure cylinder and piston upon which equipment a second test shall be run. If sticking again results, the buffer shall be rejected.

8.2.5. Test for Lateral Movement of the Plunger.

With the buffer casing clamped or otherwise securely fastened to a firm base the lateral movement of the top of the plunger shall be accurately measured, the plunger head being moved from its extreme right to the extreme left in a vertical plane. This total movement shall be divided by 2 to determine the movement from the vertical position. The maximum permissible movement from the vertical shall be 1/16 inch per foot of buffer stroke.

8.3. Escalator Tests.

Each size and type of escalator shall be subjected to the following tests with contract load:

8.3.1. Speed Tests.

The application of the overspeed safety device shall be obtained by causing the escalator to travel at the gov-

ernor tripping speed as specified in 6.2.3.4, *Escalator Safety Mechanism Operative*. With escalators driven by alternating current motors the governor may be tripped by hand with the escalator traveling at its normal rate of speed.

8.3.2. Reversal Tests.

The application of the reversal safety device required by 6.2.3.3, *Safety Mechanisms on Ascending and Reversible Escalators*, shall be made by releasing the machine brake and operating the escalator by hand in the reverse direction.

8.3.3. Broken Chain Tests.

The application of the broken chain safety device required by 6.2.3.3, *Safety Mechanisms on Ascending and Reversible Escalators*, shall be obtained by operating the safety by hand.

8.3.4. Miscellaneous Safety Devices.

Tests of the machine brake and emergency stop buttons or switches shall be made to determine whether they function properly.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model		M. D. Rotary.....	52-27-SA
No. 1000	9-32-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Monroe Oil Pump.....	658-26-SA
Beach Russ Co. Rotary.....	1134-22-SA	Northern Rotary	1396-24-SA
Blackmer Rotary	935-24-SA	Pascoe Pump Set.....	1029-26-SA
Blake & Knowles Horizontal Simplex Piston		Petro-Nokol Industrial Oil Pump.....	570-32-SA
Pattern Pump	372-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Century Rotary	908-21-SA	Quimby Screw Pump.....	1193-21-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump.....	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump.....	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Double Oscillating Force Pump....	458-27-SA	Tate-Jones	492-21-SA
Deming Fuel Oil Pump.....	298-31-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Enterprise Oil Pump.....	11-28-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Exeter Rotary	507-22-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
General Electric Oil Pump.....	475-32-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Hand Rotary.....	1133-25-SA	Viking	438-21-SA
Goulds Rotary Oil Pump.....	437-31-SA	Warren Oil Pump.....	1169-23-SA
Goulds Triplex Plunger.....	257-22-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Worthington Duplex Double-Acting Steam	
Koerting Gear Pump.....	1264-25-SA	Pump	184-22-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Worthington Show Model Duplex.....	194-22-SA

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

Appliances Submitted for Approval.

628-23-SA—Motorles Oilheat Burner, Models 7, 9, 11, 13 and 15.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

345-51-SA—Silent Glow Oil Burner, Models 800, 1800 and 2800.

209-32-SA—Croker 4-inch Siamese.

229-32-SA—Camel Automatic Oil Burner, Model A. S.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

436-32-SA—Scott-Newcomb Pioneer Oil Burner, Model S-N Junior.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

222-33-SA—Dowie Combination Anti-Syphon Valve.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

346-33-SA—Goodspeed Oil Burner Nozzle Type II.

349-33-SA—Herco Oil Burner.

32-34-SA—Super Oil Burner for Pressing Machine.

33-34-SA—Tridex Cleaning Machine.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

117-34-SA—Carter Oil Burner, Models 4X and 5X.

124-34-SA—Alida Oil Burner.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

132-34-SA—Acme Oil Burner.

157-34-SA—S. T. Johnson Oil Heat Servant.

163-34-SA—Samson Magnetic Fuel Oil Pump.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

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		Granted	0
		Granted on condition.....	105
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Requests for extension permit.....	9	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	10	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	34
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	730	Requests for extension of permit granted.....	9
Disposed of	558	Requests for extension of permit denied.....	0
Cases pending June 27, 1934.....	172	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	10
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	9
		Total.....	558

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

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Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

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Notices in Building Zone Cases.

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Minutes of Regular Meeting, July 3, 1934, at 2 P. M.

Concrete Rules (Hydrated Lime).

Oil Burner Rules.

Second Quarterly Report.

Approved Fireline Hose Valves.

Approved Burners for Domestic and Commercial Use.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, July 9, 1934, at 2 o'clock*. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, July 16, 1934, at 2 o'clock*.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET.

New Cases Filed up to July 4, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
197-34-SA.....	F.D.....	"Biltwell" Range Oil Burner, Appliance.
196-34-SA.....	F.D.....	Smith-Whaley Range Oil Burner, Models SW-1 & SW-2, Appliance.
195-34-BZ.....	D.B.B.....	1255-1261 Coney Island ave. (Block 6704, Lot 4), Brooklyn, Applic. 8314-34.
194-34-A.....	D.B.Bx....	1951 Hone ave. (Block 42, Lot 69), The Bronx, Slip 147-34 (F.P.)
193-34-BZ.....	D.B.Q.....	N.E. cor. Fernside ave. & Wat-jean court (Block 271, Lots 1 & 38), Far Rockaway, Queens, Decision.
192-34-SA.....	F.D.....	Preferred Utilities — Preferred Type "B" Anti-Syphon Valve, Appliance.
191-34-BZ.....	D.B.Bx....	2087 Boston road (Block 3137, Lot 20), The Bronx, Decision.
190-34-S.....	D.B.B.....	1-25 Junius st. & 1738-1744 East New York ave., S.W. cor. (Block 3679, Part of Lot 12), Brooklyn, 2140-LD.
189-34-A.....	F.D.....	823 Utica ave. (Block 4676, Lot 57), Brooklyn, C. S. Order 548.
188-34-A.....	F.D.....	3628-3630 Mermaid ave. & 2901-2911 West 37th st. (Block 7045, Lot 1), Brooklyn, 65057-LC.
187-34-BZ.....	D.B.M....	344 Lexington ave. (Block 895, Lot 74), Manhattan, Decision.
<i>Restored to Calendar.</i>		
363-31-A.....	F.D.....	111-117 49th st. (Block 771, Lot 1), Brooklyn, 64435-LC.
662-26-BZ.....	D.B.Bx....	S.E. cor. of Boston rd. and Eastchester ave. (Block 4723, Lot 65), The Bronx, N. B. 1802-26.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
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CALL OF CLERK'S CALENDAR

MONDAY, JULY 9, 1934, AT 2 P. M.

Building Zone Cases.

29-34-BZ.	
APPLICANT—Norman L. Adolf, for Rose Metchik, owner.	
PREMISES—Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.	
APPLICATION, under section 21 of the building zone resolution,	
TO PERMIT in a business district the erection and maintenance of a gasoline service station.	
123-34-BZ.	
APPLICANT—Michael Glick, for Harry Weissberg, owner.	
PREMISES—West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.	
APPLICATION, under section 21 of the building zone resolution,	
TO PERMIT in a business district the erection and maintenance of a gasoline service station.	
141-34-BZ.	
APPLICANT—William Shary, for Socora Realty Construction Co., Inc., owner.	
PREMISES—East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.	
APPLICATION, under section 21 of the building zone resolution,	
TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly.	

CALENDAR

148-34-BZ.

APPLICANT—Samuels and Samuels, for Noviak Holding Corporation and Martha Barlow, owners.

PREMISES—Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores).

JULY 10, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 10, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 43-34-BZ—Application, February 14, 1934, under section 21 of the building zone resolution, of Ferdinand Savignano, applicant, on behalf of Francesco Frasca, owner, to permit in a business district the maintenance of a gasoline service station illegally installed; premises 6522-6524 13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Brooklyn.

CAL. NO. 133-34-BZ—Application, May 17, 1934, under section 21 of the building zone resolution, of Otto J. Sambach, applicant, on behalf of Bartholdi Turecamo, owner, to permit in a residence district the erection and maintenance of a fuel oil storage plant; premises 2411-2427 Warehouse avenue, north side, 93 ft. 7½ in. east of 24th avenue (Block No. 6927, Lot No. 7), Brooklyn.

CAL. NO. 135-34-BZ—Application, May 19, 1934, under sections 7a and 21 of the building zone resolution, of Benjamin Chester, applicant, on behalf of Rose Karron, owner, to permit in a residence use and also "D" area district the extension of an existing factory building and also, the omission of the required rear yard; premises 822-840 Pennsylvania avenue, west side, 195 ft. south of Linden boulevard (Block No. 4346, Lot Nos. 17 and 20), Brooklyn.

CAL. NO. 140-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of Matthew W. DelGaudio, applicant, on behalf of Carolernesto Realty Co., Inc., owner, to permit in a business district the alteration and conversion of occupancy of an existing building to a gasoline service station; premises 3114 Jerome avenue, southeast corner of East 204th street (Block No. 3321, Lot No. 36), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

CAL. NO. 161-34-BZ—Application, June 13, 1934, under sections 7e and 21 of the building zone resolution, of Patrick Quilty, Acting Chief Engineer, Department of Water Supply, Gas and Electricity, applicant, on behalf of City of New York, owner, to permit in a business district the change of occupancy of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles with a cost of more than fifty per cent (50%) of the value of the building above the foundation; premises 60-62 West 133rd street (Block No. 1730, Lot No. 63), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1934, 2 P. M.

Appeals from Administrative Orders.

80-34-A—702 East 12th street (Block No. 381, Lot No. 9), Manhattan.

131-34-A—643 Brook avenue (Block No. 2361, Lot No. 34), The Bronx.

142-34-A—80-08 Rockaway Beach boulevard, north side, 40 ft. west of Beach 80th street (Block No. 551, Lot No. 3), Rockaway Beach, Borough of Queens.

169-34-A—45 East 17th street (Block No. 846, Lot No. 33), Manhattan.

170-34-A—23 West 19th street and 18-22 West 20th street (Block No. 821, Lot No. 55), Manhattan.

363-31-A—111-17 49th street (Block No. 771), Lot No. 1), Brooklyn.

Petition for Variation.

171-34-S—26 East 4th street (Block No. 531, Lot No. 26), Manhattan.

Appliances Submitted for Approval.

155-34-SA—Midget Oil Burner.

181-34-SA—Genuine Detroit Constant Level Valve, Models CRC160, CRC180, CRC150, CRC350 and CRC550, Types A-D-H-K-L-M-S, S-1, S-2 and V-1-2-3-4.

182-34-SA—Genuine Detroit Anti-Syphon Valve, Model CRC100, Types V and S.

183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.

184-34-SA—Vapofier Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July*

CALENDAR

10, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 56-34-BZ—Application, March 2, 1934; withdrawn June 5, 1934; reopened and restored to Calendar June 19, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joseph Cafiero, owner, to permit in a business district the erection and maintenance of a petroleum storage plant, with tanks above ground; premises 2115-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Brooklyn.

CAL. NO. 78-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Joseph D. Nunan, Jr., applicant, on behalf of Cross Bay Theatre, Inc., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

CAL. NO. 418-31-BZ—Application of McCabe and Hickey, on behalf of Gerwan Realty Co., Inc., owner, reopened January 23, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Brooklyn.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, JULY 16, 1934. AT 2 P. M.

Building Zone Cases.

79-34-BZ

APPLICANT—Martin J. Ort, for Angelo Malgieri, owner.

PREMISES—Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

137-34-BZ

APPLICANT—Louis Isquith, for Estate of Frank Wetzel, owner.

PREMISES—South side of Queens boulevard, 24 ft. east 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

153-34-BZ

APPLICANT—Rhodie & Belous, for Bertha Gerton, owner.

PREMISES—Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

556-26-BZ

APPLICANT—John F. Meehan, for Avoncel Realty Co., owner.

PREMISES—501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board (reopened June 19, 1934).

JULY 17, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 17, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 130-34-BZ—Application, May 12, 1934, under sections 7b and 21 of the building zone resolution, of Croker Fire Prevention Corp., applicant, on behalf of John Bertorello, owner, to permit partly in a retail district and partly in a residence district, the change of occupancy of part of an existing building to business use; premises 52 West 54th street (Block No. 1269, Lot No. 70), Manhattan.

CAL. NO. 119-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Webwill Realty Corporation, applicant and owner, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises 23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens.

CAL. NO. 138-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of William E. Jackson, applicant, on

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behalf of Crusader Realty Corp., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station premises Northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 17, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 17, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 64-32-BZ—Application, February 9, 1932; denied May 13, 1932; reopened under new facts May 1, 1934, under section 21 of the building zone resolution, of Edwin H. Snackenberg, applicant, on behalf of Anna Weiss, owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises Southwest corner of White Plains avenue and East 223rd street (Block No. 4824, Lot Nos. 1 and 82), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934. AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the amendment of a resolution adopted by

the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, JULY 3, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the Board held on Tuesday morning, June 26, 1934 and the minutes of the regular meeting of the Board held on Tuesday afternoon, June 26, 1934, were approved as printed in Bulletin No. 27, Vol. XIX.

BUILDING ZONE CASES

130-34-BZ.

APPLICANT—Croker Fire Prevention Corp., for John Bertorello, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7b and 21 of the building zone resolution, to permit partly in a retail district and partly in a residence district the change of occupancy of part of an existing building to business use.

PREMISES AFFECTED—52 West 54th street (Block No. 1269, Lot No. 70), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Strauss.

For Opposition: Richard H. McCann, James A. McCarthy, W. G. Demarest.

ACTION OF BOARD—Laid over to July 17th, 1934, at 10 a. m., for report of committee of inspection. No further argument.

119-34-BZ.

APPLICANT—Webwill Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John T. Kreeger.

For Opposition: None.

ACTION OF BOARD—Laid over to July 17, 1934, at 10 a. m., for report of committee of inspection. No further argument.

138-34-BZ.

APPLICANT—William E. Jackson, for Crusader Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), Borough of The Bronx.

APPEARANCES—

For Applicant: William E. Jackson.

For Opposition: Alfonso Bivona, Milton Hart, Arthur B. Sullivan, Mary A. Tantino, G. Dell'Olio, John C. Bolti.

ACTION OF BOARD—Application laid over to July 17, 1934, at 10 a. m., for report of committee of inspection. No further argument.

382-31-BZ.

APPLICANT—Samuels and Samuels, substituted for Joseph D. Nunan for Dora Intner, owner.

SUBJECT—Request for reopening—reconsideration under new facts re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—109-04 Northern boulevard, southeast corner of 109th street (Block No. 743, Lot No. 1), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Request for reopening denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Absent 0

Adjourned 12:50 P. M.

EDWARD V. BARTON, *Chief Clerk.*

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 3, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

418-31-BZ.

APPLICANT—McCabe and Hickey, for Gerwan Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened January 23, 1934).

PREMISES AFFECTED—1036-1060 McDonald avenue (Gravesend avenue) northwest corner of Parkville avenue (Block No. 5452, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo J. Hickey.

For Opposition: None.

ACTION OF BOARD—Laid over to July 10, 1934, at 2 p. m., upon request of applicant.

569-27-BZ.

APPLICANT—Charles Goodman, for Harry Rubin, owner.

SUBJECT—Request for reopening—modification—re Application (decision of the fire commissioner) under section 21 of the building zone resolution, permit-

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ting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Fourth avenue and 12th street (Block No. 1028, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Goodman, Harry Rubin.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

662-26-BZ.

APPLICANT—Israel Richel, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline selling station.

PREMISES AFFECTED—Southeast corner of Boston road and Eastchester road (Block No. 4723, Lot No. 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles Richel.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

81-34-BZ.

APPLICANT—Samuels and Samuels, for Girolomo Staropoli, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—196-08 Hillside avenue, south side, 50.42 ft. east of 196th street (Block No. 1452, Lot No. 3 (Hollis, Borough of Queens).

APPEARANCES—

For Applicant: Milton Samuels.

For Opposition: Margaret H. Scharf, Herman Peterson, Herbert W. Twidd.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(81-34-BZ)

WHEREAS, Samuel and Samuels, for Girolomo Staropoli, owner, filed March 28, 1934, an application under the building zone resolution to permit partly in a residence district and partly in a business district, the erection and maintenance of a gasoline service station; premises 196-08 Hillside avenue, south side, 50.42 ft. east of 196th street (Block No. 1452, Lot No. 3), Hollis, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, July 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hillside avenue is in a business and residence district; that 196th street is in a business and residence district and that 197th street is in a business and residence district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered March 16, 1934, re: Plan No. 199-34, reads:

"The erection of a gasoline station in a business and residence district is contrary to art 2 section 3 and 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75.6 feet and a (maximum) depths of 169.4 feet; the south portion of the plot extends into the residence district for a distance of approximately 69 feet; the remainder of the plot is in the business district, upon which it is proposed to erect (within the business use portion of the plot) a one-story structure, 50 feet by 27 feet in area; to be used as office and grease room and also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

"Cal. No. 81-34-BZ.

"Premises: 196-08 Hillside avenue, south side, 50.42 ft. East of 196th street (Block No. 1452, Lot No. 3, Hollis, Queens.

This application brought under Section 21 is for a zoning variance to permit a gasoline service station on an interior lot with a frontage of approximately 75 feet and a varying depth of approximately 164 feet, located on the southerly side of Hillside avenue between 196th and 197th streets, Hollis, Queens. The front 100 feet of the plot is zoned for business use and the rear 64 feet for residence use.

A committee of the board inspected the site and the adjoining area on June 21st, 1934, and report that this section is generally of a residential character, even lacking neighborhood businesses, as the residents apparently trade on Jamaica avenue relatively nearby. Such buildings as now exist on Hillside avenue within the area of notification are residences, except for a greenhouse and the building on the plot under appeal which is conforming, and used for a real estate office and flower shop.

While the applicant for reasons best known to himself, claimed that he did not attempt to obtain consents, it was apparent to the committee that the objectors who strenuously opposed this variance at the hearing were representative of the section, and that their objections were well founded. The plot is now put to a conforming use, although, perhaps, such use fails to give an adequate return. To change this unobjectionable use to a use, which in the opinion of the objectors and of the committee, would be decidedly objectionable at this location, and deteriorating to the nearby properties, all for the sake of increased financial return, is entirely unjustified. It also appeared that this section is governed by a private covenant against objectionable uses, and while this covenant, because of its long standing does not mention gasoline stations or garages, it seemed clear that the purpose was to preclude all uses that would have a deteriorating effect on the area. It is evident that the covenant has served to keep this area free from undesirable uses.

The committee cannot find that any hardship or practical difficulty has been shown to justify this application,

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and cannot find that the applicant's claim that this site is especially suited and ideally located for a gasoline station, is tenable and recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied and the board demand that applicant had not substantiated his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

118-34-BZ.

APPLICANT—Samuels and Samuels, for Robert Ward, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: Archie M. Samuels.
For Opposition: Allan D. Emil.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(118-34-BZ)

WHEREAS, Samuels and Samuels, for Robert Ward, owner, filed May 1, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 1015-1023 Glenmore avenue, northwest corner of Euclid avenue (Block No. 4194, Lot No. 36), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, July 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Glenmore avenue is in a business district; that Euclid avenue is in a business and unrestricted district; and that Doscher street is in a residence district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered April 30, 1934, re: Applic. No. 4069-1934, reads:

"Proposed gasoline service station to be located in a business use district is contrary to Art. II, Sec. 4a of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 80 feet on Glenmore avenue and 100 ft. on Euclid avenue—upon which it is proposed to erect a one-story structure 50 ft. by 27 ft. in area to be used as office and grease room and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 118-34-BZ.

Premises 1015-23 Glenmore ave., N. W. cor. Euclid ave. (Block 4194, Lot 36), Borough of Brooklyn.

This is an application for a zoning variance under section 21 for a gasoline service station on a plot in a district zoned for business, immediately abutting a district for unrestricted uses, at the northwest corner of Glenmore avenue and Euclid avenue, Brooklyn.

The section generally is of a residential character with neighborhood stores, although there is considerable vacant property. The objectors who appeared at the hearing represented some of this vacant property particularly the entire block cornerwise from the plot under appeal and located between Glenmore and Pitkin avenues, and also the Church across Glenmore avenue and nearby house owners.

Reference was made to a brick yard across the street. The committee inspected this use in inspecting the site under appeal and the adjacent area on June 21st, 1934, and found that the building and yard were used for the storage and sale of face brick and tile and was not a brick yard in the sense generally used, namely, for manufacturing brick.

After careful consideration, the committee was of the opinion that no hardship had been shown to justify granting this variance and that no station was needed at this point as sufficient stations exist within a reasonable area to supply all demands and that if a station were needed the proper place for it is in the unrestricted district, which was purposely set aside for just such prohibited uses as a gasoline station and a garage. The committee cannot find that abutting and unrestricted district necessarily constitutes hardship, particularly as this owner purchased this property after the zoning was established and should have known the zoning conditions. If he did so it must be assumed he apparently considered the adjoining unrestricted area no detriment at the time of purchase. The committee also noted that the fire house and the other existing uses in the unrestricted district were not of such a nature as to preclude this site under appeal from being developed with conforming uses. The coal yard and chicken market referred to by the applicant at the hearing could not be found by the committee within this unrestricted area.

While Glenmore avenue is a through street it is near such other through streets as Pitkin avenue, Liberty avenue and Conduit boulevard, so that the traffic is so much divided that it cannot be considered so heavy on Glenmore avenue as to allege hardship on that account. No consents have been filed.

The committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied and the board deemed that applicant had failed to substantiate his basis of appeal under section 21, of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

47-34-BZ.

APPLICANT—Crescent L. Varrone, for Abrem Cohen, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7a and 21 of the building zone resolution, to permit partly in a busi-

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ness district and partly in a residence district the replacement of a frame lumber shed with a concrete structure.

PREMISES AFFECTED—East side of 95th street, 100 ft. north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Abraham M. Wolf.

For Opposition: Harvey Johnson.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(47-34-BZ)

WHEREAS, Crescent L. Varrone, for Abrem Cohen, owner, filed February 17, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district the replacement of a frame lumber shed with a concrete structure; premises: East side of 95th street, 100 ft. north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, July 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business district; that 95th street is in a residence district; that Junction boulevard is in a business district; and that 96th street is in a residence district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered January 30, 1934, re: Plan No. 466, reads:

"1. The 'replacement' of a frame shed for the purpose of storing lumber within a residence district is contrary to section 3 of the Zone Resolution. This objection is based on the assumption that by 'replacement' is meant the construction of a new building. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. on Northern boulevard and 140 ft. on 95th street; the northerly portion of the plot extends into the residence district for a distance of 40 ft., the remainder of the plot is in the business district; on the north portion of the plot (lots 44 and 45), there were some old wooden sheds which were demolished and in place of these there was erected a shed having 8-in. thick concrete walls, 14 ft. in height. The entire plot is used as a lumber yard; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and

WHEREAS, this report recommends the granting of this variation for a temporary period under section 21.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under Section 21, for a period of two (2) years from the date of this action, permitting the erection of a concrete block wall on the interior lot lines as indicated on plans filed with this appeal marked "Received February 17, 1934", on condition that this wall shall not exceed 14 ft. in height at the lot lines and that there shall be no openings in this wall along the interior lot lines; that there may be constructed against this wall a lumber shed with open front on condition that the highest point of the roof shall not exceed 11 ft. 6 in. in height, so as to provide a parapet not less than 2 ft. 6 in. in height at all points along the interior lot lines; that

this roof shall be surfaced with incumbustible roof surfacing and shall be so pitched as to lead roof water away from the adjoining premises to a hung gutter and through a leader connected to street sewer; that this plot within the residential area may be used for the storage of lumber provided such lumber is at all times stored under the shed roof and not in open piles, and that this plot within the residential area shall not be used for other uses during the term of this variance.

76-34-BZ.

APPLICANT—Arverne Bay Construction Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10 and 11 and part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Paulson.

For Opposition: Charles H. Fier, Jacob Wieder, William Markowitz, Margaret Nolan, Felix Nolan, M. Pappe.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(76-34-BZ)

WHEREAS, Averno Bay Construction Company, owner, filed March 24, 1934, an application under the building zone resolution to permit in a residence district the erection and maintenance of a gasoline service station; premises: 1868-1890 Linden boulevard, southwest corner of Georgia avenue to Alabama avenue (Block No. 4344, Lot Nos. 9, 10, 11 and part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, July 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a residence district; that Stanley avenue is in a business district; that Alabama avenue is in a residence district; and that Georgia avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 5, 1934; re: Applic. No. 1795-1934, reads:

"Proposed gasoline service station to be located in a residential district is contrary to Art. II, Sect. 3 of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 feet on Linden boulevard, 100 feet on Alabama avenue and 100 feet on Georgia avenue—upon which it is proposed to erect a one-story structure 68 feet by 24 feet 6 inches in area to be used as office, greasing and servicing cars and proposes also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection, which inspection was made by a committee of the board and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 76-34-BZ.

Premises—1868-1890 Linden boulevard, S. W. cor. Georgia ave. to Alabama ave., (Block No. 4344 Lots Nos. 9, 10, 11 and part of Lot No. 1), Brooklyn.

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The premises under appeal consist of an entire block front on the southerly side of Linden boulevard between Georgia and Alabama avenues. The same owners also own or control the balance of the block and part of the adjacent block east all of which are vacant and unimproved and which have been subject to financial complications due to the burdensome carrying charges. Linden boulevard is generally zoned for residential use and this application is for a gasoline service station under section 21, a use not only prohibited in a residence use area but in a less restricted business use area. The Board of Estimate and Apportionment rezoned this area from unrestricted to residence use in May, 1928. Prior to that rezoning any use was permissible. These same owners or their associates acquired this property in 1926 prior to the zoning change. As the City has purposely zoned this boulevard for residence use to insure as far as possible its ultimate development with residential buildings, the committee which inspected the site on June 21, 1934, is of the opinion that this application should not be granted. The committee recognizes that the carrying charges are heavy, that perhaps these owners may even lose their property, but that the property was undoubtedly bought for its speculative value with full knowledge that it might take a long time before development would be possible. To grant the variance for a non-conforming use even if an attractively landscaped station were erected would certainly not assist in the development under residential lines planned by the City and hoped for by those owners holding vacant land for such expected uses.

Gasoline stations erected or authorized prior to the change of zone exist along Linden boulevard and there is one block to the west and one two blocks to the east. These cannot be helped. They are there by right and not because of variances granted by this board.

The committee can find no practical difficulties or unnecessary hardship, other than difficulties of a financial nature which others similarly situated in the general section are also suffering from. This grant would perhaps ease the situation for this owner causing the sharing of business with others who are legally operating gasoline stations and placing some hardship on other owners whose properties would not be bettered because of this proposed nonconforming use.

If this owner believes that the Board of Estimate and Apportionment has erred in zoning this plot for residence use, it might be in order to request that it be changed back to unrestricted use or to a business use although, judging from repeated expressions from the Borough President, such a change would be opposed.

The committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had not substantiated his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

100-34-BZ.

APPLICANT—Samuels & Samuels for Kariene Burke, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Jamaica avenue and 138th place (Block No. 1024, Part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Archie Samuels, Milton Samuels, Max Siegel.

For Opposition: Henry Patent, B. Satewicz, M. Satewicz, Mary A. Osborne, Stella Werny, Ignatz Loris, Anna Loris, Charles Boos.

ACTION OF BOARD—Application granted on condition. THE VOTE TO GRANT ON CONDITION FOR FIVE YEARS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative: Assistant Chief Kidney.....	1
Absent	0

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO GRANT ON CONDITION FOR TWO YEARS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(100-34-BZ)

WHEREAS, Samuels and Samuels, for Kariene Burke, owner, filed April 12, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station, premises: Southeast corner of Jamaica avenue and 138th place, (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens, and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, July 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business district; 138th place is in a residence district; 139th street is in a residence and business district and Queens boulevard is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 31, 1934, re: Plan No. 269-1934, reads:

"Erection of a gasoline service station in a business district is contrary to Art. 2, Sec. 4, subd. 46 of the Building Zone Resolution.
Not further examined."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 110.4 ft. on Jamaica avenue, 79 ft. on 138th place and a distance of 100 ft. along the south lot line; upon which it is proposed to erect a one-story structure, 56 ft. by 27 ft. in area, to be used as grease room and office and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the board deemed that applicant was entitled to relief under Section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted for a period of two (2) years* from the date of this action, under section 21 *on condition* that the plot shall be levelled substantially to the grade of Jamaica avenue; that the accessory buildings shall consist of building toward the easterly end as indicated on plans marked "Received July 2, 1934" for washing and greasing, and an office building located toward the southwesterly portion as indicated on this plan;

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that these buildings shall be not over one story in height and shall be of design and construction as indicated on plans marked "Received July 2, 1934"; that the ceilings shall be fire retarded in accordance with the rules of the board of standards and appeals and the roof surfaced with slate or other approved incombustible materials; that on all lot lines other than the Jamaica avenue lot line there shall be constructed a face brick wall not less than 8 ft. in height except that this brick wall along 138th place, where it meets the street building line of Jamaica avenue, may start at a height of 4 ft. and be graduated upwardly at the rate of one foot in four to the 8 ft. height; that curbing of stone or concrete shall be constructed as indicated along the Jamaica avenue building line and also to enclose areas indicated for planting; that all other area where not covered by accessory buildings, walls and planting shall be cement paved or covered with cracked bluestone; that there shall be no openings to the interior lots or to 138th place except not over two (2) windows in the office building opening upon 138th place; that no gasoline pumps shall be erected nearer than 10 ft. to any street line nor to any part of an accessory building; that there shall be no portable gasoline pumps used on or from the property; that all signs advertising non-conforming uses shall be limited to illuminated globes of the gasoline pumps; that there shall be no excavation under the accessory buildings except pits for greasing racks; that there shall be no open flame permitted on the premises; that lights for general illumination shall be on pipe standards not over 10 ft. in height with metal reflectors arranged to reflect downwardly; that the entrances to the station shall be from Jamaica avenue only and shall not exceed two (2) in number, each not over 25 ft. in width; that the curb cuts shall not exceed 30 ft. in width; that prior to filing plans with the Commissioner of Buildings, plans shall be filed with this Board and approved by chairman in behalf of the board; that such filing with this board shall be within two months; that all permits shall be obtained within six months thereafter and that all work shall be completed one year thereafter.

107-34-BZ.

APPLICANT—Samuels & Samuels, for John Bauer Realty Co., Inc., owner

SUBJECT—Application (re decision of commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—248-261 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens.

APPEARANCES—

For Applicant: Archie Samuels, Milton Samuels and Max Siegel.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(107-34-BZ)

WHEREAS, Samuels and Samuels for John Bauer Realty Co., Inc., owner, filed April 19, 1934, an application under the building zone resolution to permit in business district the erection and maintenance of a gasoline service station; premises: 248-61 Jamaica avenue, northwest corner of 249th street (Block No. 4369, Lot No. 45), Bellerose Manor, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, July 3, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business district, 249th street is in a residence district, 89th avenue is in a residence district and 88th road is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 18, 1934, re: Plan No. 212-34, reads:

"The erection of a gasoline station in a business district is prohibited by section 4 of the Zone Law. (Not further considered).";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Jamaica avenue and 100 ft. on 249th street—upon which it is proposed to erect a one-story structure 50 ft. by 27 ft. in area to be used for grease room and office, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 107-34-BZ.

Premises—248-61 Jamaica ave., N. W. cor. 249th st., (Block No. 4369, Lot No. 45), Bellerose Manor, Queens.

A committee of the board inspected this site on June 7, 1934, and June 21, 1934. The plot under appeal is located on the northerly side of Jamaica avenue at the northwest corner of 249th street. The south side of Jamaica avenue is in Bellerose, Nassau County, and accordingly the area deemed affected is naturally limited by this board to the northerly side within the City of New York. The adjacent area is zoned for residential use and the objectors are among the home owners on that street.

Since the hearing, a copy of the Zoning Ordinance adopted by the Trustees of the Village of Bellerose on May 28, 1934, has been obtained and gasoline service stations are not a permitted use in the least restricted area known as "Apartment and Business District." Their board of appeals has apparently, however, the power of discretion to vary the application of the ordinance in harmony with its general purpose and intent. While it may be contended that this board should not concern itself with the zoning restrictions of adjoining municipalities, it is proper that consideration should be given to their ordinances for mutual benefit. At least it cannot be substantiated that gasoline stations are permitted without restriction across Jamaica avenue although this was perhaps the case when this application was filed in April, 1934, ante-dating the adoption of the Bellerose Zoning Ordinance by a month. There are several gasoline stations in existence on the Bellerose side and several on the New York side to the east and west, plenty to insure ample supply for all motorists using Jericho turnpike and Jamaica avenue. The courts have ruled that the board should exercise regulation and it would appear that in this case more gasoline stations are not only not needed but would injure property values. The owners in the residential area adjoining who have established their homes under the protection of the zoning restrictions had the right to expect that the prohibition against gasoline stations in business districts meant that they could expect that protection unless unnecessary hardship and practical difficulties can be proven to permit this board to exercise its discretion.

The hardship claimed is that the section is underdeveloped; that there are enough stores now and that some of the business buildings in existence have been foreclosed, but that there are a number of gas stations inasmuch as Bellerose has fixed the character of the

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neighborhood as being suitable for gasoline stations and that a reasonable business use cannot be maintained partly because of the heavy traffic. As the statement has been made that the property has been owned by these owners only three years, it might be noted that these three years have been within the period of the depression when practically all real estate has suffered. A noted zoning expert recently said:

"There is a pressure against Boards of Appeals throughout the country to allow violations on account of the depression. Many cities are taking a determined stand on this subject, saying that the depression ought not to be an excuse for a permanent injury to the municipality."

The investments of owners who have built or who are holding adjacent vacant land cannot be improved by the imposition of a nonconforming use however well screened and arranged by conditions imposed by this board for their partial protection.

In the absence of consents and in view of the many objections together with the statements presented by the applicant and the objectors, the committee recommends denial because they cannot find any unnecessary hardship or practical difficulty to justify the board exercising its discretion under section 21 nor any need for an additional gasoline station at this location.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that this application be denied; and the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

223-17-BZ.

APPLICANT—Harold G. Dangler, for Peter F. Reilly, owner.

SUBJECT—Application for reopening—amendment of resolution— (re decision of the commissioner of buildings) to permit in a business district the change of occupancy of the 2nd floor from garage to repair shop (previously granted by board for a two-story garage).

PREMISES AFFECTED—611-613 Bergen street (Block No. 1137, Lot No. 69), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harold G. Dangler.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(223-17-BZ.)

WHEREAS, the application affecting premises 611-613 Bergen street (Block No. 1137, Lot No. 69), Borough of Brooklyn was granted by the board March 20, 1917, on certain conditions and applicant requested an amendment to the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on March 20, 1917, so as to permit a limited motor vehicle repair shop being maintained on the second floor of this building *on condition* that not more than five persons shall be employed on such repair work and that such repair work shall be made by use of manual tools with no motor-driven tools, other than tools limited to drills and grinders, each such tool having motive power of not over ½ h. p.; that there shall be no anvils or acetylene torches used on the premises and no heavy body or fender work carried on in the premises.

104-33-BZ.

APPLICANT—Andrew A. Marjey, for A. B. Wolosoff, lessee.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Merrick road and Linden boulevard (Block No. 1293, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Andrew A. Marjey, A. B. Wolosoff.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(104-33-BZ)

WHEREAS, this application affecting premises northeast corner of Merrick road and Linden boulevard (Block No. 1293, Lot No. 1), Jamaica, Borough of Queens, was granted by the board May 9, 1933, on certain conditions and the resolution amended May 31, 1933, and owner requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *reaffirm* the resolution of the board adopted on May 9, 1933 and amended May 31, 1933, and to permit additional accessory building to be constructed toward the easterly side of the premises facing on Linden boulevard as indicated on plans marked "Received June 25, 1934"; this accessory building to be used solely as a dining room and a lunch counter and to be constructed of brick with slate roof in accordance with architectural designs and general dimensions indicated on plans marked "Received June 25, 1934"; that signs on this building shall be limited to two (2) upright signs as indicated and to a permanent sign attached to the front of building over the main entrance; that temporary awnings to the east and west may be erected over cement or stone-paved areas *on condition* that the awnings do not extend beyond the line of this plot under appeal unless the owner files with the commissioner of buildings an affidavit that he has the property to the east under lease or is the owner thereof; that there shall be no open-air restaurant service to the north of the proposed restaurant building; that there shall be submitted for the approval of the commissioner of parks a planting plan for the entire area, which shall include curbs at the driveways for the protection of such planting; that other than as amended herein the resolutions adopted by the board on May 9, 1933 and May 31, 1933, shall be complied with in all respects except as to obtaining permits and completion

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of work; that all permits for this additional accessory building shall be obtained within three months and all work completed within six months from the date of this action.

APPEALS FROM ADMINISTRATIVE ORDERS.

146-34-A.

APPELLANT—Colonial Beacon Oil Co., Inc., owner.
SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—279-347 Freeman street (Block No. 2507, Lot Nos. 1 and 13), Borough of Brooklyn.

APPEARANCES—

For Appellant: Joseph B. Lynch.

For Administration: None.

ACTION OF BOARD—Appeal withdrawn on request of appellant, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4

Negative 0

Absent 0

363-31-A.

APPELLANT—Legrand Bleach Corp, lessee.

SUBJECT—Application for reopening—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—111-17 49th street (Block No. 771, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Jacob Carr.

For Administration: None.

ACTION OF BOARD—Appeal reopened, set for hearing July 10, 1934 at 2 p. m., pending inspection by the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4

Negative 0

Absent 0

134-34-A.

APPELLANT—Atlas Carbonic Gas & Service Corp., for Hygrade Soda Fountain Mfg. Corp., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—476 Sackman street (Block No. 3778, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Appellant: M. John Silver.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Kidney 4

Absent 0

THE RESOLUTION—

(134-34-A)

WHEREAS, Atlas Carbonic Gas & Service Corp., for Hygrade Soda Fountain Mfg. Corp., owner, filed May 17, 1934, an appeal from an order of the fire commissioner affecting premises 476 Sackman street (Block No. 3778, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated May 4, 1934, re: Order No. 64742-C, reads:

"1. Surrender to the bearer Permit No. 533290, expiring November 11, 1934, authorizing the storage of

Carbonic Gas, on the above premises, as it is revoked for the reason that the safe conduct of your business requires compliance with the following item:

"2. Discontinue the use of the Harrisburg Pipe and Bending Company Dry Ice Convertors as the same is not the type passed by the Fire Department";

and

WHEREAS, the building is nonfireproof, 2 stories (24 ft.) in height, 50 ft. by 100 ft. in area; OCCUPIED: Cellar, furnace, conversion of dry ice, 2 persons; 1st story, office and workshop, 8 persons; 2nd story, manufacture of soda fountains, 10 persons; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected and Certificate of Occupancy issued in 1930 present use has been in operation since September, 1933; the cellar is equipped with a battery of eight Harrisburg Pipe and Bending Co. dry ice convertors of 150 pounds capacity each; there are three safety discs at the top of each convertor, one safety disc on the top manifold and two safety discs on the bottom manifold which puncture at 1,800 pounds per square inch; the solid CO₂ (dry ice) is placed in the convertor, the lid securely sealed, cold water cascades over the convertor reducing the enclosed solid to liquid CO₂ at 400 pounds pressure; the liquid CO₂ is discharged through the bottom manifold, a high pressure hose and control valve into 20 and 50 pound cylinders ready for delivery, not more than 300 cylinders will be stored on the premises at any time; the convertors in question have passed the 3,000 pound hydrostatic test, and also meet the requirements of the Interstate Commerce Commission's specifications under test by the Hunt Inspection Laboratory; on account of discharging liquid CO₂ through an opening at the bottom of the convertors, the fire commissioner has revoked permit for the storage of carbonic gas; the appellant contends that the safe conduct of the business of storing carbonic gas has nothing to do with converting dry ice; the order is arbitrary; furthermore, test made by the fire department on similar convertors were found satisfactory; the present installation and operation of the Harrisburg Pipe and Bending Co., dry ice convertors are arranged with all precautions for safety and could not be criticized as a hazard.

Resolved, that the order No. 64742-C of the fire commissioner be and is hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

162-34-A.

APPELLANT—Alexander M. Bremer, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—3114 East Tremont avenue (Block No. 5350, Lot No. 42), Borough of The Bronx.

APPEARANCES—

For Appellant: Alexander M. Bremer.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal dismissed on the ground that under Rule 15 of the Oil Burner Rules, compliance with the order is not required.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(162-34-A)

WHEREAS, Alexander M. Bremer, owner, filed June 13, 1934, an appeal from an order and a decision of the fire commissioner affecting premises 3114 East Tremont avenue (Block No. 5350, Lot No. 42), Borough of The Bronx, and

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WHEREAS, the order and decision of the fire commissioner dated May 25, 1934, reads:

"Replying to your favor of May 21, 1934, regarding violation numbered 79459, issued against premises 3114 East Tremont avenue, The Bronx, on March 3, 1933, be advised that as far as the fuel oil installation is concerned, it meets with the approval of this department. However, no permit can be issued for the storage and use of fuel oil at that location, unless the order is complied with in its entirety.

"Under the rules of the Board of Standards and Appeals and the New York Fire Department, every building in which more than two families live, and in which fuel oil burner is operated, must be under the care and supervision of a person holding a Certificate of Fitness from this department.

"We have caused numerous inspections to be made, and our Inspector has never found anyone at that location holding a Certificate. Therefore, the summons was served for a violation of Section 113, Chapter 10 of the Code of Ordinances.

"We would suggest that the violation be either complied with or advantage taken of your right to appeal from the fire commissioner's decision by appealing to the Board of Standards and Appeals, Room 1002, Municipal Building, Manhattan, for as long as this violation remains on our records, no permit can be issued."

and

WHEREAS, the building is non-fireproof, 2 stories in height, 21 feet by 65 feet in area; OCCUPIED: cellar, furnace room—no occupancy; 1st story, laundry and tailor, 8 persons; 2nd story, two (4 room) living apartments; located within a business district; and

WHEREAS, the appellant claims that fuel oil for heating system was installed in 1932, using a General Electric burner, approved and installed in accordance with the requirements of the Rules of the Board; the order was issued under the old rules; as the burner is fully automatic in operation the existing installations meets all the requirements under the revised rules of June 15, 1934.

Resolved, that the appeal be and it hereby is *dismissed* on the ground that under Rule 15 of the Oil Burner Rules, certificate of fitness is not required on fully automatic systems.

178-34-A.

APPELLANT—Frazier's, Inc., lessee.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—206 Front street (Block No. 96, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Appellant: W. E. Bishop and F. D. Ross.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION:

(178-34-A)

WHEREAS, Frazier's Inc., lessee, filed June 21, 1934, an appeal from a decision of the fire commissioner affecting premises 206 Front street (Block No. 96, Lot No. 7), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner dated June 6, 1934, reads:

"In answer to your letter of June 2, 1934, relative to placing of a refrigerating unit on the second floor of your building at 206 Front street, Manhattan, to

supply refrigeration to a box on the first floor, would say that although there would be little or no hazard involved in this particular installation, the Code of Ordinances, Section 219, prohibits such installation.

"You may, however, appeal this decision to the Board of Standards and Appeals, Room 1000, Municipal Building, within twenty days, in whose jurisdiction only, may relief be granted";

and

WHEREAS, the building, erected in 1894, is non-fireproof, three stories in height, 20 ft. by 66 ft. in area; OCCUPIED for the storage and sale of fish; 1st story, 10 persons; 2nd story (office), 4 persons; 3rd story, vacant; and

WHEREAS, it is proposed to install a direct expansion method of refrigeration in the building; the refrigerating machinery to be located on the 2nd story; the refrigerant is ammonia (30 lbs.) the plant consists of a 1¼ ton ammonia compressor, driven by a 5 horse-power motor; the capacity of the receiver is 10 pounds; the plant is used to cool a fish refrigerator located on the 1st story of the premises; one ½-inch extra heavy high pressure line extends from the refrigerating unit to the refrigerator on the 1st story; and

WHEREAS, appellant contends that here is no room on the 1st story for the refrigerating unit and that the plant will be operated under the supervision of a competent engineer.

Resolved, that the decision of the fire commissioner be and is hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the refrigerating unit to be located on the 2nd floor, as indicated on the plans filed with this appeal, marked "Received June 21, 1934," on condition that this refrigerating unit shall have an ice manufacturing capacity of not more than 1¼ tons; that the unit shall be separated from the balance of the 2nd floor by a vapor-tight, fire-retarded partition with a close fitting outwardly opening door; that this refrigerating unit shall be used for furnishing refrigeration to the 1st floor only; and that other than as modified herein, this system shall comply in all respects with the rules covering refrigerating systems.

39-32-A.

APPELLANT—Croker Fire Prevention Corp., for J. C. E. Liquidating Corp., owner.

SUBJECT—Application for reopening—amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1750 Webster avenue (Block No. 2899, Lot Nos. 6, 12, 18 and 33), Borough of The Bronx.

APPEARANCES—

For Appellant: Sidney Strauss.

For Administration: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(39-32-A)

WHEREAS, this appeal affecting premises 1750 Webster avenue (Block No. 2899, Lot Nos. 6, 12, 18, 33) The Bronx, was granted by the board on certain conditions, March 15, 1932, amended July 5, 1933, and appellant requests an amendment of the resolution.

MINUTES

Resolved, that the board of standards and appeals does hereby *amend* the resolution of the board adopted March 15, 1932, amended July 5, 1933, so that as amended the resolution shall read:

"Granted on condition that the walls between section 1 and section 2 of the main building at locations indicated on revised plans marked 'Received June 13, 1934' shall be constructed of hard-burnt six-inch terra cotta blocks, laid in Portland Cement; that these walls shall form a lobby for access to stairway and freight elevator; that these walls shall extend from the basement through to the underneath side of roof being supported floor by floor on existing girders or 'I' beams as may be approved by the Commissioner of Buildings; that there shall be constructed at the ceiling line on each floor 4-inch steel angles, lag-screwed to the underneath side of floor boards so as to make an effective smoke-stop, and that similar angles shall be placed on either side of walls at the ceiling under roof; that the openings through these division walls shall not exceed one opening in each wall per story and that such openings shall not exceed 6 ft. in width each and shall be equipped with channel buck and approved Underwriters' Class A automatic fire doors; that the sprinkler system shall be maintained to the satisfaction of the Fire Commissioner and in accordance with resolution adopted by the board on March 15, 1932; that such accessory fire-fighting appliances shall be installed as the administrative official may direct."

PETITIONS FOR VARIATION.

145-34-S.
PETITIONER—Wadie E. Najjar, for Rose Najjar, owner.
SUBJECT—Petition for variation of the labor law as cited in an order of the commissioner of buildings.
PREMISES AFFECTED—141-143 Atlantic avenue (Block No. 275, Lot Nos. 13 and 14), Borough of Brooklyn.

APPEARANCES—
For Petitioner: Wadie E. Najjar.
For Administration: None.

ACTION OF BOARD—Petition denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Absent 0

THE RESOLUTION—
(145-34-S)

WHEREAS, Wadie E. Najjar, for Rose Najjar, owner, filed May 25, 1934, a petition for a variation from the requirements of the labor law as cited in an order of the commissioner of buildings affecting premises 141-143 Atlantic avenue (Block No. 275, Lot Nos. 13 and 14), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated January 5, 1934, re: Order No. 1082-LD, reads:

"1. Install an adequate interior electric fire alarm system in accordance with the Rules of Board of Standards and Appeals and the enclosed approved layout. Section 279 of the Labor Law.

"2. Institute a fire drill in accordance with the regulations of this department. Section 279 of the Labor Law";

and
WHEREAS, the building is non-fireproof, 3 stories (46 ft.) in height, 41 ft. by 80 ft. in area at 1st story and 41 ft. by 48 ft. in area above; OCCUPIED: 1st story, stores, 5 persons; 2nd story, factory, 18 persons; 3rd story, factory, 16 persons; located within a business district: EXITS: an interior wooden stairway, extending from the first story to top story, enclosed in fire retarded partitions with fire-

proof doors at openings; a fire escape on the front of the building, having fireproof openings along the course thereof, extending from the 2nd story to the top story, and counter balanced stairway from 2nd story to sidewalk; ROOFS of adjoining buildings: same height at east and west; and

WHEREAS, the petitioner contends that the building was erected in 1890, has been used at intervals for factory work during the past 13 years with about the same number of persons under certificate of occupancy issued August 24, 1921, and contends that due to the present adequate means of exits and the small floor area used for factory work, a fire alarm system and fire drills are impractical and unnecessary; furthermore, the petitioner contends that the factory work is not continuous, but in operation only during a short seasonable period by dress contractors, no factory work is being done at the present time, and has submitted letters from the two factory tenants as to the time factory work is in operation, and contends that the percentage of floor area used for factory work is less than the amount permitted in a business district under the zone resolution.

Resolved, that the order, No. 1082-LD, of the commissioner of buildings be and it hereby is *affirmed*, and that the petition be and it hereby is *denied*.

164-34-S.

PETITIONER—Premier Fur Dressers, Inc., lessee.
SUBJECT—Petition for variation of the labor law as cited in an order of the commissioner of buildings.
PREMISES AFFECTED—470-488 Morgan avenue (Block No. 2851, Lot Nos. 1, 10, 14, 38 and 39), Borough of Brooklyn.

APPEARANCES—
For Petitioner: Charles Stern.
For Administration: None.

ACTION OF BOARD—Petition granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—
(164-34-S)

WHEREAS, Premier Fur Dressers, Inc., lessee, filed June 15, 1934, a petition for a variation from the requirements of the Labor Law as cited in an order of the commissioner of buildings, affecting premises 470-488 Morgan avenue (Block No. 2851, Lot Nos. 1, 10, 14, 38 and 39), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated June 5, 1934, re Order No. 2018-L.D., reads:

"1. Arrange stationary iron bars on all windows on 1st and 2nd stories so as to be movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purpose of egress, as per section 272 of the Labor Law."

and

WHEREAS, the building is non-fireproof, 5 stories in height, 200 feet by 50 feet in area; OCCUPIED: 1st story, fur dressing 50 persons; 2nd story, vacant; 3rd, 4th and 5th stories, factories, 15 person per story; EQUIPPED with a sprinkler system; EXITS: two interior fireproof stairways, extending from the 1st story to roof, enclosed in fireproof partitions with fireproof doors at openings; no adjoining buildings; and

WHEREAS, the petitioner claims the building was erected in 1910; there are 9 barred windows on the north side, 7 on the west side, 5 on the east side and 11 on the south side of the building at 1st story affected by the order; the bars have been removed from all windows on the 2nd story; in addition to the present legal means of exits from the building there are two exit doors on the north side, one

MINUTES

exit door on the east side, one exit door and two open windows on the west side and 10 open windows on the south side of the building at 1st story, the bars were required by the insurance company as a protection against robbery; there is a valuable stock of furs stored in the building; the surrounding properties are open lots and make it liable to robbery; furthermore, the petitioner contends there is no existing fire hazard and the exit facilities provided exceed those required by law.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the petition be and it hereby is *granted* as to Order No. 2018-LD, *on condition* that there shall be maintained at all times outwardly opening exit doors to the street front and to the yard in the rear and unbarred windows, as indicated on plans filed with this petition, marked "received June 15, 1934" and that there shall be no bars on any windows above the 1st floor; that the sprinkler system shall be maintained in working order satisfactory to the Commissioner; and that the interior fireproof stairways shall be enclosed in fireproof partitions, with fireproof doors at the openings.

174-34-S.

PETITIONER—Henry C. Pelton, for Dry Dock Savings Institution, owner.

SUBJECT—Petition for variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—64-66 Bleecker street and 640 Broadway, southeast corner (Block No. 522, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Petitioner: Frank M. Machan.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(174-34-S)

WHEREAS, Henry C. Pelton, for Dry Dock Savings Institution, owner, filed June 19, 1934, a petition for a variation from the requirements of the labor law as cited in a decision of the commissioner of buildings, affecting premises No. 64-66 Bleecker street and 640 Broadway, southeast corner (Block No. 522, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated June 15, 1934, re: Alt. Applic. No. 977-34, reads:

"This amendment is disapproved with the following objections repeated:

3. "Two stairways must be enclosed on all sides by partitions of fireproof material continuously from basement to roof Section 271, Subd. 2A Labor Law and Sect. 72 Subd. 1K, Building Code." "Stair enclosure must be 6 in. T.C. throughout wire glazed windows not permitted in stair enclosure. Corridor doors must be fire doors and windows would not be permitted."

* * *

"DUE TO AMENDMENT:

8. Elevator door at first floor and exit doors, corridor doors on 2nd, 5th and 6th floors must not obstruct passageway. Section 272, Sub. Div. 3 Labor Law."

and

WHEREAS, the building, erected in 1898, is fireproof, 9 stories in height, 25 feet by 196 feet in area; OCCUPIED: Cellar, storage, 2 persons; 1st story stores, 25 persons; 2nd to 9th stories inclusive, (to be) used as factory, 45 persons per story; EQUIPPED with a sprinkler system in the

cellar and basement only; EXITS: two (2) interior iron (marble tread) stairways; the west stairway extending from the 1st story to top story, and the east stairway extending from 1st story to roof; enclosed in 4-in. T.C. block, plastered both sides and having stationary glass sash in partitions; and with Kalamein self-closing doors at openings; a sub-standard fire escape on the Bleecker street front of the building; ROOFS of adjoining buildings; about 40 ft. high to south; and

WHEREAS, petitioner, as to item 3 of the decision, requests the acceptance of the existing 4-inch terra cotta stair enclosure in view of the fact that the building was erected prior to October 1, 1913; proposes to remove and to block up the wired glass openings in the stair enclosure, and to remove the glass panels, in the doors leading to the stair enclosure, and to replace same with kalamein panels; petitioner contends as to item 8 of the decision that at present the 2nd, 5th and 6th stories of the building are used for office use; contends that on these stories there are fixed sashes in the office side of the corridor partitions; that the doors leading to the offices do not swing outwardly and are non-fireproof, but in view of the present occupancy of these stories requests the acceptance of existing conditions as to the corridor which connects the two stairway enclosures on these stories.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the petition be and it hereby is *granted on condition* that the stairways shall be enclosed throughout with fireproof partitions consisting of terra cotta blocks, not less than 4 inches in thickness and plastered with hard plaster on both sides, with all borrowed lights and fan lights removed from stair enclosures, and all doors thereto fireproof and self-closing; that the factory occupancy be limited to the 3rd, 4th, 7th, 8th and 9th floors and on these floors all partitions other than those enclosing the stairways and elevators shall be entirely removed or made to comply with the requirements of the Labor Law; that the 2nd, 5th and 6th floors shall be used for office and showroom occupancy only, with no manufacturing; that on these (2nd, 5th and 6th) floors the existing wood partitions with inwardly swinging doors therein may remain; that the cellar and basement shall be equipped with a dry sprinkler system fed from the street siamese; that the standpipe system shall be maintained in good working condition, satisfactory to the Commissioner and in compliance with Rule 91 of the Standpipe Fire-Line Rules, as amended under Cal. No. 1019-24-A; that the easterly stairway shall extend to the roof through an approved bulkhead and the westerly stairway shall be continued to the roof by an iron double-rung ladder leading through an approved scuttle, as required by the factory exit rules of the Board of Standards and Appeals; that a fire alarm signal system shall be installed and fire drill maintained in accordance with the rules and regulations; that other than as modified herein, the building shall comply with Section 271 of the Labor Law, affecting buildings erected prior to 1913, and all rules of the Board of Standards and Appeals applicable thereto; that the occupancy shall not exceed 45 persons per story throughout the building.

APPLIANCES SUBMITTED FOR APPROVAL.

165-34-SA.

PETITIONER—David Kaufman, for B. Kaufman, owner.

SUBJECT—Rose Oil Heater, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to Engineer of the Board and Bureau of Combustibles, fire department, for test and report.

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166-34-SA.
PETITIONER—David Kaufman, for Lynn Products Company, owner.
SUBJECT—Lynn Power Oil Burner, Models 1, 2 and 3, approval of.
APPEARANCES—
For Petitioner: None.
ACTION OF BOARD—Petition placed on reserve calendar, referred to Engineer of the Board and Bureau of Combustibles, fire department, for test and report.

172-34-SA.
PETITIONER—The Silent Glow Oil Burner Corp., owner; Irving T. Hecht, agent.
SUBJECT—Silent Glow Oil Burner, Atmospheric Type, approval of.
APPEARANCES—
For Petitioner: None.
ACTION OF BOARD—Petition placed on reserve calendar, referred to Engineer of the Board and Bureau of Combustibles, fire department, for test and report.

48-34-SA.
PETITIONER—Albert Bliss, for Kolrid Oil Burner Corp., owner.
SUBJECT—Kolrid Range Oil Burner, approval of.
APPEARANCES—
For Petitioner: Albert Bliss.
ACTION OF BOARD—Petition placed on reserve calendar, referred to Engineer of the Board and Bureau of Combustibles, fire department, for test and report.

124-34-SA.
PETITIONER—Erik B. Anderson, for Berggren & Anderson Machine Co., Inc., owner.
SUBJECT—Alida Oil Burner, approval of.
APPEARANCES—
For Petitioner: Erik B. Anderson.
ACTION OF BOARD—Appliance approved in accordance with report of Engineer of the Board and Bureau of Combustibles, fire department.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(124-34-SA)

WHEREAS, Erik B. Anderson for Berggren and Anderson Machine Co., owner, filed May 8, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Alida Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the mechanical draft pressure atomizing type and consists of the following parts:

A Century 1/6 H.P. motor and a Viking pump. The strainer, pressure regulation valve and blower are manufactured by the Berggren and Anderson Machine Company. The nozzle used on the burner is a 2½ Balloffet.

Ignition—Electric.

Jefferson Transformer 110 to 10,000 volts is used. The electrodes were examined and spark was found

to be of sufficient intensity and length for the purpose of which they are designed.

Controls—Minneapolis Honeywell Pressuretrol L-404-2 and Protectostat R-125.

With the oil supply shut off the burner was operated from a cold start and on two successive tests the Protectostat closed down the motor in 25 and 30 seconds respectively. During the period of test there were no flares or puff backs, and the flame of burner was clear and free from smoke. Examination of the combustion chamber showed no undue carbon deposits.

We therefore recommend that the Alida Oil Burner be approved for domestic use when installed in accordance with the Fuel Oil Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Alida Oil Burner, for use in domestic installations when used with oil not heavier than No. 4 and when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

132-34-SA.

PETITIONER—M. J. Sage, for Acme Oil Burner Company, owner.

SUBJECT—Acme Oil Burner, Models BO-1 and BO-2, approval of.

APPEARANCES—

For Petitioner: M. J. Sage.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of the Board and Bureau of Combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(132-34-SA)

WHEREAS, M. J. Sage for the Acme Oil Burner Company, owner, filed May 15, 1934, a petition with the Board of Standards and Appeals for approval of the device known as the Acme Oil Burner, Models BO-1 and BO-2; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

Both models BO-1 and BO-2 of this burner are of the same construction and design, with the exception that a larger motor and fan are used in the Model BO-2, and consists of the following parts:

Century 1/8 H.P. motor; Detroit lubricator and strainer; Detroit lubricator regulating valve; Tuthill pump and blower and Nitroil nozzle.

Ignition—Electric, using a Jefferson 110 to 10,000 volts transformer. The spark, upon examination, proved to be of sufficient length and intensity.

Controls—Pressuretrol Type H-110 and Pyrostat and Protecto-Relay Type 112-2, manufactured by the Minneapolis Honeywell Company.

With the oil shut off and cold combustion chamber, the burner was started and the Protecto-Relay shut down the motor in 68 and 70 seconds on two successive tests. When burner was operated under normal conditions with the oil supply turned on, the flame was clear and free of smoke. Examination of the combustion chamber showed no undue deposits of carbon.

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We therefore recommend that the Acme Oil Burner, Models BO-1 and BO-2 be approved for domestic and commercial installations when installed in accordance with the Fuel Oil Rules.

and

WHEREAS, this burner has been approved by the Underwriters Laboratories Guide No. 300-10-4. File M P 835.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Acme Oil Burner, Models BO-1 and BO-2 for use in domestic and commercial installations with fuel oil not heavier than No. 3 when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

157-34-SA.

PETITIONER—August Corsini for H. Lieblich & Co., for S. T. Johnson Co., owner.

SUBJECT—S. T. Johnson Oil Heat Servant, approval of. APPEARANCES—

For Petitioner: August Corsini.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of the Board and Bureau of Combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(157-34-SA)

WHEREAS, August Corsini, for H. Lieblich & Co., for S. T. Johnson Co., owner, filed June 11, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the S. T. Johnson Oil Heat Servant; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This installation consists of a unit installation made up of boiler and burning unit, used for furnishing hot water heat to the building. The burner is of the mechanical draft vertical spinning cup type, and consisted of the following parts:

Either a General Electric or Westinghouse $\frac{1}{8}$ horsepower motor, a fan and strainer, manufactured by the S. T. Johnson Company, and a spinning cup used to atomize the oil. On this particular job, the oil was fed by gravity to the burner. In other cases, that is, where there is no gravity feed, a Johnson Pump is used.

Ignition—Electric by means of a Mercoid Duoid hot wire igniter.

Controls—A Penn Aquastat and Mercoid TU Panel control, and magnetic oil valve manufactured by the S. T. Johnson Company.

Operation—When the main control switch is thrown on, the Mercoid igniter is heated to a proper temperature for the ignition of the oil. When this temperature is reached, the burner proper is set in operation and continues to burn until either the thermostat or aquastat sets it down.

Test: With the oil supply shut off, and a cold combustion chamber, the burner was operated and at the end of 150 seconds, the controls shut the burner down. The same test was repeated with a hot combustion chamber, and the control panel shut the burner down in 120 seconds. During the period of test no explosions of puff backs occurred, due to delayed ignition. The flame was continuous and non-fluctuating and free from smoke and soot. Examination of the combustion chamber showed no hazardous carbon formations.

We therefore recommend that the S. T. Johnson Oil Heat Servant be approved for domestic and commercial use, provided it is installed in accordance with the Fuel Oil Rules adopted by the Board of Standards and Appeals.

and

WHEREAS, this device has been approved by the Underwriters Laboratories, Guide No. 300-10-4, File M. P. 656, for oil not heavier than No. 3.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the S. T. Johnson Oil Heat Servant, for use in domestic and commercial installations when used with oil not heavier than No. 3 and when installed in accordance with above report and the Fuel Oil Rules of the Board of Standards and Appeals.

Adjourned, 4:45 p. m.

EDWARD V. BARTON, Chief Clerk.

RULES

USE OF HYDRATED LIME IN CONCRETE

Adopted by the Board of Standards and Appeals, April 19, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

RULES

OIL BURNER RULES

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals
June 15, 1934

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

RULES

STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 10 pounds per square inch without permanent deformation, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material, and where the tank is 48 inches or less in diameter the shell shall have a thickness of not less than $\frac{3}{16}$ of an inch and where the tank is over 48 inches in diameter the shell shall have a thickness of not less than $\frac{1}{4}$ of an inch.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

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Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground.

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity or not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

(c) Vents shall be not less than one and one-quarter inches (1¼") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

RULES

less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or private right of way.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for approval for permit shall be made by the installer on forms furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity, number and location of storage tanks, together with approval of such installation by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Installation of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be

provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by a $\frac{1}{2}$ " asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

(g) Near each boiler or furnace of a fuel oil burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand.

Rule 15. Instruction Cards.

(a) Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

(b) For manually operated systems not fully automatic the operator shall obtain a certificate of fitness from the fire commissioner.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

SECOND QUARTERLY REPORT

CITY OF NEW YORK

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

MUNICIPAL BUILDING

July 10, 1934.

Hon. Fiorello H. LaGuardia,
Mayor, The City of New York,
City Hall, New York City.

DEAR SIR:—

I have the honor to submit to you the Second Quarterly Report of the Board of Standards and Appeals for the year 1934. This report is being submitted to you in accordance with the provisions of the Charter, Section 1544, and will also be printed in the Bulletin of the Board.

CASES FILED AND PENDING, 1934

FILED 1934	A	BZ	S	SA	SR	M'L	T'L	GR.T'L
JANUARY	8	14	0	4	0	45	71	..
Restored	1	9	0	0	0	0	10	81
FEBRUARY	6	13	0	10	0	36	65	..
Restored	0	3	0	1	0	0	4	69
MARCH	11	13	3	3	0	48	78	..
Restored	0	3	2	3	0	0	8	86
APRIL	16	7	2	6	0	40	71	..
Restored	0	7	0	1	0	0	8	79
MAY	8	13	3	6	0	67	97	..
Restored	0	12	1	1	0	0	14	111
JUNE	14	16	4	11	0	41	86	..
Restored	0	6	0	4	1	0	11	97
TOTAL	64	116	15	50	1	277	523	523
PENDING								
Dec. 31, 1933.....	51	99	2	58	2	0	212	212
GRAND TOTAL..	115	215	17	108	3	277	735	735
DISPOSITION								
1934								
JANUARY	8	22	0	8	0	45	83	..
FEBRUARY	7	24	1	16	0	36	84	..
MARCH	6	26	1	10	0	48	91	258
APRIL	7	28	2	6	0	40	83	..
MAY	21	34	6	16	0	67	144	..
JUNE	7	18	3	3	1	41	73	300
TOTAL	56	152	13	59	1	277	558	558
PENDING								
June 30, 1934.	59	63	4	49	2	0	177	177

Code: A—Appeals from Administrative Orders. BZ—Applications under Building Zone Resolution. S—Petitions for Variations of Labor Law. SA—Petitions for Approval of Appliances. SR—Petitions for Adoption of Rules. M'L—Miscellaneous Docket.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

SECOND QUARTERLY REPORT

SUMMARY

DOCKET.

Cases pending December 31, 1933.....	212
Cases filed up to June 30, 1934, inclusive.....	191
Restored to Calendar	55

MISCELLANEOUS APPLICATIONS.

Requests to reopen.....	169
Requests to amend.....	53
Requests for modification.....	1
Requests to rescind.....	0
Requests for extension of time.....	34
Requests for extension of permit.....	9
Requests for mechanical installations.....	0
Requests for approval of plans.....	10
Administrative requests	0
Requests for interpretation.....	1
Total	735
Disposed of	558
Cases pending June 30, 1934.....	177

DISPOSITION OF CASES.

Withdrawn	26
Dismissed	12
Denied	78
Granted	0
Granted on condition.....	105
Appliances approved.....	32
Appliances dismissed, disapproved or withdrawn.....	27
Rules approved.....	1
Rules disapproved, rescinded or withdrawn.....	0

MISCELLANEOUS ACTIONS.

Requests to reopen granted.....	146
Requests to reopen denied.....	14
Requests to amend granted.....	53
Requests to amend denied.....	0
Requests for modification granted.....	1
Requests for modification denied.....	0
Requests to rescind granted.....	0
Requests to rescind denied.....	0
Requests for extension of time granted.....	34
Requests for extension of time denied.....	0
Requests for extension of permit granted.....	9
Requests for extension of permit denied.....	0
Requests to install granted.....	0
Requests to install denied.....	0
Plans approved.....	10
Plans disapproved.....	0
Administrative requests granted.....	0
Administrative requests denied or withdrawn.....	0
Interpretations	1
Requests withdrawn or dismissed.....	9

Total 558

MONEYS RECEIVED

SUBSCRIPTIONS	APRIL	MAY	JUNE	TOTAL	1st QUAR.	GR. T'L.
To Bulletin.....	\$127.50	\$42.50	\$65.00	\$235.00	\$197.50	\$432.50
Cash Sales.....	33.55	29.64	42.60	105.79	144.70	250.49
Paid to Chamberlain.....	\$161.05	\$72.14	\$107.60	\$340.79	\$342.20	\$682.99

EDWARD V. BARTON, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA	Gar Wood Oil Burner.....	373-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Alida Oil Burner.....	124-34-SA	General Electric Fuel Oil Burner.....	434-32-SA
Arcoil Heat Machine.....	632-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Auto-Heat Oil Burner.....	284-33-SA	Ghapco Steam Generator.....	348-31-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gill Oil Burner.....	1231-23-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Berggren Oil Burner.....	764-26-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Gulf Oil Burner.....	382-26-SA
Bettendorf Oil Burner.....	731-28-SA	Hardinge Oil Burner.....	813-25-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Harris Fuel Oil Burner.....	690-30-SA
Bock Oil Burning Water Heater.....	102-34-SA	Hart Automatic Oil Burner.....	1162-24-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner.....	36-31-SA	Hart Oil Burner, Model "H"	221-33-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hayward Oil Burner	696-30-SA
Brighton Oil Burner.....	372-33-SA	Heatiator Oil Burner.....	1346-23-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Caloroil Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner, Models H and HF....	309-33-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Carborundum Burner	571-29-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Homer Domestic Oil Burner.....	1211-25-SA
Carter-Korth Oil Burner	54-30-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Century Oil Burner.....	157-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Inferno Oil Burner.....	82-33-SA
Challenge Oil Burner, Model "A".....	86-34-SA	International Mechanical Draft Oil Burner...	372-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	International Oil Burner.....	1305-24-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Cook's Automatic Oil Burner.....	955-27-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Joyce Oil Burner.....	852-26-SA
Crescent Oil Burner	222-29-SA	K. F. C. Oil Burner.....	846-25-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	Kelco Oil Burner.....	237-33-SA
Crown Oil Burner, Type XA.....	426-29-SA	Kelvinator Oil Burner.....	339-31-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
D'Elia Oil Burner.....	155-31-SA	Kleen Heet Oil Burner.....	62-24-SA
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DeWalt Oil Burner.....	541-31-SA	Kreager Oil Burner.....	367-30-SA
Dist-o-matic Oil Burner.....	663-28-SA	Kres-Kno Oil Burner.....	443-28-SA
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Doherty Oil Burner.....	943-26-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Lange Economical Oil Burner.....	355-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	Lawrence May Oil Burner.....	1034-27-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Leader Oil Burner.....	425-31-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Ember-Glo Oil Burner.....	462-32-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Lonergan Automatic Oil Burner.....	208-33-SA
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Evenheat Oil Burner.....	554-32-SA	Magna Fuel Oil Burner.....	197-33-SA
Everedy Oil Burner.....	102-33-SA	Majestic Oil Burner.....	693-30-SA
Fairfield Oil Burner.....	584-31-SA	Marr Oil Heat Machine.....	765-26-SA
Faultless Oil Burner.....	493-24-SA	Master Fuel Oil Burner.....	350-32-SA
Florence Oil Heater, Model KC-9.....	62-33-SA		
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Fluid Heat Oil Burner.....	361-32-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
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Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Shill Oil Burner.....	315-30-SA
Merco Oil Burner.....	637-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
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Morrissey Oil Burner.....	673-27-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Glow Oil Burner, Model 1000.....	345-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Mousette Oil Burner.....	887-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Airoil Low Pressure Burner.....	186-29-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Rotary Oil Burner.....	836-25-SA	Standardyne Oil Burner.....	34-34-SA
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Oronoke Oil Burner.....	394-30-SA	Sunway Oil Burner.....	624-30-SA
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Remington Oil Burner.....	891-26-SA	Wayne Oil Burner.....	1155-25-SA
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Rickard Oil Burner.....	1011-27-SA	Williams Oil-o-matic Fuel Oil Burner, Williams Oil-o-matic, Jr., Models "K", "KA", "KB" and Model "JJ".....	918-22-SA
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Requests to install denied.....	0
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Total.....	584

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, July 16, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 10, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

OFFICE—Municipal Building, Rooms 1001 to 1015.
TELEPHONE—WORTH 2-0184.
OFFICE HOURS—9 a. m. to 5 p. m. daily except Saturdays during July and August.
All communications should be addressed to the chairman of the board

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 - Minutes of Regular Meeting, July 10, 1934, at 10 A. M.
 - Minutes of Regular Meeting, July 10, 1934, at 2 P. M.
 - Plumbing Rules.
 - Approved Fireline Hose Valves.
 - Progress Report.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman

CALENDAR

DOCKET.

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CODE

F.D.....	Fire Department
H.D.....	Health Department
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D.B.Q.....	Department of Buildings, Queens
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CALL OF CLERK'S CALENDAR

MONDAY, JULY 16, 1934. AT 2 P. M.

Building Zone Cases.

79-34-BZ

APPLICANT—Martin J. Ort, for Angelo Malgieri, owner.

PREMISES—Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

137-34-BZ

APPLICANT—Louis Isquith, for Estate of Frank Wetzel, owner.

PREMISES—South side of Queens boulevard, 24 ft. east 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

153-34-BZ

APPLICANT—Rhodie & Belous, for Bertha Gerton, owner.

PREMISES—Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

556-26-BZ

APPLICANT—John F. Meehan, for Avoncel Realty Co., owner.

PREMISES—501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board (reopened June 19, 1934).

CALENDAR

JULY 17, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 17, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 130-34-BZ—Application, May 12, 1934, under sections 7b and 21 of the building zone resolution, of Croker Fire Prevention Corp., applicant, on behalf of John Bertorello, owner, to permit partly in a retail district and partly in a residence district, the change of occupancy of part of an existing building to business use; premises 52 West 54th street (Block No. 1269, Lot No. 70), Manhattan.

CAL. NO. 119-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Webwill Realty Corporation, applicant and owner, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises 23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens.

CAL. NO. 138-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of William E. Jackson, applicant, on behalf of Crusader Realty Corp., owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station premises Northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 17, 1934, 2 P. M.

Appeals from Administrative Orders.

151-34A—Northwest corner of Cromwell avenue and Scotland avenue (Block No. 3469, Lot No. 1), South Beach, Richmond.

154-34-A—160 West 146th street (Block No. 2014, Lot No. 38), Manhattan.

176-34-A—509-519 Eighth avenue, southwest corner of West 36th street (Block No. 759, Lot No. 45), Manhattan.

188-34-A—3626-3630 Mermaid avenue and 2901-2911 West 37th street (Block No. 7045, Lot No. 1), Brooklyn.

189-34-A—823 Utica avenue (Block No. 4676, Lot No. 57), Brooklyn.

194-34-A—1951 Hone avenue (Block No. 4269, Lot No. 13), The Bronx.

198-34-A—31-48 29th street (Block No. 579, Lot No. 78), Astoria, Borough of Queens.

81-23-A—120 East 144th street (Block No. 2344, Lot No. 112) The Bronx.

Petition for Variation.

201-34-S—1-11 West 47th street (Block No. 1263, Lot Nos. 28 and 33), Manhattan.

Appliance Submitted for Approval.

192-34-SA—Preferred Type B Anti-Syphon Valve.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 17, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 140-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of Matthew W. DelGaudio, applicant, on behalf of Carolernesto Realty Co., Inc., owner, to permit in a business district the alteration and conversion of occupancy of an existing building to a gasoline service station; premises 3114 Jerome avenue, southeast corner of East 204th street (Block No. 3321, Lot No. 36), The Bronx.

CAL. NO. 64-32-BZ—Application, February 9, 1932; denied May 13, 1932; reopened under new facts May 1, 1934, under section 21 of the building zone resolution, of Edwin H. Snackenberg, applicant, on behalf of Anna Weiss, owner, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises Southwest corner of White Plains avenue and East 223rd street (Block No. 4824, Lot Nos. 1 and 82), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934, AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

CALENDAR

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the amendment of a resolution adopted by the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast

corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon*, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CALENDAR

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so

as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

HARRIS H. MURDOCK, *Chairman*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, JULY 10, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, July 3, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, July 3, 1934, were approved as printed in Bulletin No. 28, Vol. XIX.

BUILDING ZONE CASES.

140-34-BZ.

APPLICANT—Matthew W. Del Gaudio, for Carolernesto Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and conversion of occupancy of an existing building to a gasoline service station.

PREMISES AFFECTED—3114 Jerome avenue, southeast corner of East 204th street (Block No. 3321, Lot No. 36), Borough of The Bronx.

APPEARANCES—

For Applicant: Matthew W. Del Gaudio and Ernest Damione.

For Opposition: Arthur Stang and Pasquale Castaldo.

ACTION OF BOARD—Laid over to July 17, 1934, at 2 p. m., for report of committee of inspection, without further argument.

147-34-BZ.

APPLICANT—William J. Boegel, for Clifford Magerle, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing gasoline service station.

PREMISES AFFECTED—Northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: William J. Boegel and Frank J. Magerle.

For Opposition: Frederick W. Mueller.

ACTION OF BOARD—Laid over to July 17, 1934, at 2 p. m., for report of committee of inspection, without further argument.

305-32-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., present owners.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone

resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northside of Roosevelt avenue, 85 ft. east of 69th street (Block No. 452, Lot Nos. 51 and 52), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, to be set for calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

43-34-BZ.

APPLICANT—Ferdinand Savignano, for Francesco Frasca, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the maintenance of a gasoline service station illegally installed.

PREMISES AFFECTED—6522-6524 13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer.

For Opposition: J. F. Kelly and S. T. Jahoda.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(43-34-BZ)

WHEREAS, Ferdinand Savignano, for Francesco Frasca, owner, filed February 14, 1934, an application under the building zone resolution to permit in a business district the maintenance of a gasoline service station illegally installed; premises: 6522-6524 13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 66th street is in a business and residence district; 65th street is in a residence district; and 13th avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 13, 1934, re Amendment Applic. No. 13284/32, reads:

MINUTES

"Proposed gasoline service station in a business use district is contrary to article 2, section 4a (46) of the building zone resolution and is therefore denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on 66th street and 40 ft. on 13th avenue. Upon the plot are located a two-story brick dwelling, a 5-car garage and on the southeast part of the plot (having an area of 43 ft. by 20 ft.) there are located a grease pit and two gasoline pumps. Proposes to continue the use of the premises as a gasoline station; and

WHEREAS, the board deemed that applicant had not substantiated his basis of application under section 21 (hardship) of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

133-34-BZ.

APPLICANT—Otto J. Sambach, for Bartholdi Turecamo, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a fuel oil storage plant.

PREMISES AFFECTED—2411-2427 Warehouse avenue, north side, 93 ft. 7½ in. east of 24th avenue (Block No. 6927, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Otto J. Sambach.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(133-34-BZ)

WHEREAS, Otto J. Sambach, for Bartholdi Turecamo, owner, filed May 17, 1934, an application under the building zone resolution to permit in a residence district the erection and maintenance of a fuel oil storage plant; premises: 2411-2427 Warehouse avenue, north side, 93 ft. 7½ in. east of 24th avenue (Block No. 6927, Lot No. 7), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cropsey avenue is in a business district; Warehouse avenue is in a residence district; 24th avenue is in a residence district and Bay 37th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 5, 1934, re Applic. No. 4892-34, reads:

"Fuel storage plant in a residential district is in violation of building zone resolution, article 2, section 3."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 139 ft. 7 in. on Warehouse avenue, approximately 415 ft. on DeNyses lane and a distance of approximately 43 ft. along the north lot line. On the north part of the plot there is located a garage and office structure; on part of the south part of the plot there is located a concrete coal pocket. It is proposed to bury—15 ft. north of said coal pocket—four (4) tanks (30,000

gals. capacity each) with the necessary pumps and piping for the storage of fuel oil; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 of the building zone resolution on the grounds of unnecessary hardship and practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 of the building zone resolution permitting use as a fuel oil storage plant confined to the area indicated on plans filed with this application, *on condition* that such fuel oil storage plant shall comply with the Code of Ordinances and Oil Burner Rules of the Board of Standards and Appeals for tank installation below grade, the grade being taken as the level of the surrounding ground, and approximately the level of the loading platform of the adjacent coal pockets; that this variation shall continue only so long as the property under this ownership is maintained as a general supply yard for oil, crushed stone, coal and building materials.

135-34-BZ.

APPLICANT—Benjamin Chester, for Rose Karron, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use and also "D" area district the extension of an existing factory building and also, the omission of the required rear yard.

PREMISES AFFECTED—822-840 Pennsylvania avenue, west side, 195 ft. south of Linden boulevard (Block No. 4346, Lot Nos. 17 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Chester.

For Opposition: Ida Fritz, Rose Hauptert, Harry Krasnopsky and B. Krasnopsky.

ACTION OF BOARD—Application granted, on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(135-34-BZ)

WHEREAS, Benjamin Chester, for Rose Karron, owner, filed May 19, 1934, an application under the building zone resolution to permit in a residence use and also a "D" area district the extension of an existing factory building and also the omission of the required rear yard; premises: 822-840 Pennsylvania avenue, west side, 195 ft. south of Linden boulevard (Block No. 4346, Lot Nos. 17 and 20), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Pennsylvania avenue is a residence and "D" area district; Linden boulevard is a residence and "D" area district and Stanley avenue is in a business and "D" area and also undetermined district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 17, 1934, re Application No. 14951, reads:

"The following objections have been filed by the examiners:

MINUTES

"Proposed extension to an existing factory building into a residential district is contrary to article 2, section 6, subdivision (a) of the zone resolution.

"Proposed extension is also contrary to article 4, section 17, subdivision (b) of the zone resolution as a rear yard is not provided."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. and a depth of 95 ft.; upon the north part of the plot there is located a two-story factory building 60 ft. by 91 ft. in area on 1st story and 60 ft. by 35 ft. in area on 2nd story. It is proposed to add a one-story addition (60 ft. by 56 ft. deep) to the rear of the existing second story of the existing building and (to the south of the existing building). It is proposed to erect a two-story extension having a frontage of 60 ft. on Pennsylvania avenue a depth of 91 ft. The area of lot is 11,400 sq. ft.; in a D area district the usable percentage of the area of lot is 60 per cent or 6,840 sq. ft. Applicant proposes to occupy 10,920 sq. ft.; an excess of approximately 4,000 sq. ft. The required rear yard is 20 per cent of depth of lot or 19 ft.; proposed rear yard had a depth of four (4) ft.; and

WHEREAS, the board deemed that applicant had substantiated his basis of application under sections 7a and 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the building zone resolution, and that the application be and it hereby is *granted* under sections 7a and 21 of the building zone resolution, *on condition* that the rear wall of 2nd story shall be at least 24 ft. distant from the rear lot line; that the existing 4 ft. yard at the basement level shall be maintained across the entire rear of the property; that there shall be constructed along the rear property line a tight board fence at least 6 ft. in height; that there shall be no heavy presses or other stamping or similar machinery installed in the proposed addition either on the basement or main floor; that there shall be no rear basement windows on the new rear building wall; that such skylights as may be installed shall be glazed with wire plate glass; that this variance shall continue only so long as this building is used for its present use of manufacturing novelties for pocketbooks; that the building shall not be further increased in height or area; that other than as modified herein the building throughout shall comply with the requirements of the Code of Ordinances and the Labor Law and all other laws and regulations applicable thereto.

161-34-BZ.

APPLICANT—Patrick Quilty, Acting Chief Engineer, Department of Water Supply, Gas and Electricity, for City of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7e and 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles with a cost of more than fifty per cent (50%) of the value of the building above the foundation.

PREMISES AFFECTED—60-62 West 133rd street (Block No. 1730, Lot No. 63), Borough of Manhattan.

APPEARANCES—

For Applicant: Patrick Quilty and Samuel Judenfrend.

For Opposition: Louis Tanzil and L. Donofrio.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Negative 0
Absent 0

THE RESOLUTION—

(161-34-BZ)

WHEREAS, Patrick Quilty, Acting Chief Engineer of the Department of Water Supply, Gas and Electricity, for The City of New York, owner, filed June 13, 1934, an application under the building zone resolution to permit in a business district the change of occupancy of an existing stable for more than five (5) horses to a garage for more than five (5) motor vehicles with a cost of more than fifty per cent (50%) of the value of the building above the foundation; premises: 60-62 West 133rd street (Block No. 1730, Lot No. 63), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 133rd street is in a business district; West 132nd street is in a business district and Lenox avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 16, 1934, re Alt. Applic. No. 1086-1934, reads:

"This amendment disapproved with the following objections:

"1. In a business district no building may be altered or reconstructed for use as a garage (article 2, section 6, zoning resolution)."

and

WHEREAS, the building is of non-fireproof construction, 4 stories in height, with a frontage of 50 ft. and a depth of 95 ft. 3 in., to be occupied as a garage for more than five motor vehicles; and

WHEREAS, under the provisions of section 7e of the building zone resolution, the board is empowered to grant a variation of the building zone resolution to permit a garage for more than five motor vehicles in place of an existing stable; and

WHEREAS, the board deems that the applicant is also entitled to relief under section 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under sections 7e and 21 of the building zone resolution, permitting the easterly portion of the ground floor only to be used as a garage for more than five motor vehicles, solely for automobiles of the New York City Department of Water Supply, Gas and Electricity, as is indicated on plans filed with this application, *on condition* that this building shall be used for no further non-conforming uses and shall not be increased in height or area; that this variation shall continue only so long as the building is owned by the City of New York and occupied by the Department of Water Supply, Gas and Electricity and the Department of Sanitation; that the portion of the building to be occupied by the garage shall comply with all requirements applicable thereto.

1220-23-BZ.

APPLICANT—Walter D. Wilkes, for Bennett De Beixendon, owner.

SUBJECT—Application for reopening—extension of permit—re Application (order of the fire commissioner) under section 7g of the building zone resolution, permitting in a business district the maintenance of a parking garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1090-1094 Gates avenue (Block No. 3339, Lot No. 1), Borough of Brooklyn.

MINUTES

APPEARANCES—

For Applicant: Walter D. Wilkes.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(1220-23-BZ)

WHEREAS, this application, affecting premises 1090-1094 Gates avenue (Block No. 3339, Lot No. 1), Borough of Brooklyn, was granted by the board for a temporary period, and the temporary period extended from time to time, and applicant now requests a further extension of this period.

Resolved, that the resolution adopted by the board on June 27, 1933, be amended so that as amended the resolution will read: "that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and the application be and it hereby is *granted for a temporary period of two years* from July 1, 1934, and that other than as amended herein the resolution adopted by the board on June 27, 1933, shall be complied with in all respects."

541-32-BZ.

APPLICANT—Robert C. Weissmantel & Son, Inc. (lessee), for Tisdale Lumber Co., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a residence district the change of occupancy of an existing building to a salesroom, motor vehicle repair shop and service station.

PREMISES AFFECTED—East side of 130th street, 330 ft. south of Jamaica avenue (Block No. 234, Lot No. 79), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Robert C. Weissmantel.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(541-32-BZ)

WHEREAS, this application affecting premises east side of 130th street, 330 ft. south of Jamaica avenue (Block No. 234, Lot No. 79), Richmond Hill, Borough of Queens, was granted by the board March 3, 1933, under certain conditions, which conditions were amended July 18, 1933 and January 30, 1934, and applicant requests a further amendment of the resolution.

Resolved, that the resolution adopted by the board on March 3, 1933, as amended by resolution of July 18, 1933, as further amended by resolution of January 30, 1934, be and it hereby is *amended*, in view of the statement made by the applicant that all permits have been obtained and that the brick fire wall has been partially constructed and will be completed as soon as funds are available, to extend the period of time within which to complete work for six months from the date of this amended resolution, *on condition* that other than as amended herein the resolution adopted by the board on March 3, 1933, shall be complied with in all respects.

APPROVAL OF PLANS.

77-33-BZ.

APPLICANT—A. P. Sorice, Jr., for Vincent J. Repaci, owner.

APPLICATION—Application for approval of plans in accordance with resolution of the board, adopted March 13, 1934.

PREMISES AFFECTED—Southeast corner New York boulevard and Linden boulevard, Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPEARANCES—

For Applicant: Frank Bambara.

ACTION OF BOARD—Plans approved.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(77-33-BZ)

WHEREAS, this application affecting premises southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens, was granted by the board March 13, 1934, on certain conditions, and applicant requested an approval of plans.

Resolved, that the Board of Standards and Appeals be and it does hereby *approve* plans filed in this case as complying with the resolution adopted by the board on March 13, 1934, *on condition* that all requirements of the resolution of that date shall be complied with where not specifically indicated or shown on plans approved.

APPLIANCES SUBMITTED FOR APPROVAL.

53-34-SA.

PETITIONER—Felix Braun, for Nemes & Gluck, owners.

SUBJECT—Automatic Airless Oil Burner—Model No. 1—approval of.

APPEARANCES—

For Petitioner—Felix Braun.

ACTION OF BOARD—Petition referred to the engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

221-33-SA.

PETITIONER—Baerenklau and Company, agent for Hart Oil Burner Corp., owner.

SUBJECT—Hart Oil Burner—Model H—approval for commercial installations.

APPEARANCES—

For Petitioner—Hugh N. Stephenson.

ACTION OF BOARD—Petition reopened and resolution amended.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(221-33-SA)

WHEREAS, E. K. Smith, for Hart Oil Burner Corp., owner, filed June 14, 1933, a petition with the Board of Standards and Appeals for approval of their device known as the Hart Oil Burner, Model "H"; and

WHEREAS, this device was submitted to the fire department for test and report, and a report of the assistant

chief of the Bureau of Combustibles, Fire Department, dated July 3, 1933, recommended the approval of this device for domestic and industrial installations; and

WHEREAS, petitioner requested approval for commercial installations also and the board deemed that such approval was implied in the approval for both domestic and industrial installations.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Hart Oil Burner, Model "H", for use in domestic commercial and industrial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and the report of the assistant chief of the Bureau of Combustibles, Fire Department, dated July 3, 1933, and for use with fuel oil not heavier than No. 3.

Adjourned, 1:00 P. M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 10, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

56-34-BZ.

APPLICANT—Lama and Proskauer, for Joseph Cafiero, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a petroleum storage plant, with tanks above ground (previously withdrawn; reopened and restored to calendar June 19, 1934).

PREMISES AFFECTED—2115-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and George Cafiero.

For Opposition: Ralph Ader.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(56-34-BZ)

WHEREAS, Lama & Proskauer, for Joseph Cafiero, owner, filed March 2, 1934; withdrawn June 5, 1934; reopened June 19, 1934; an application under the building zone resolution to permit in a business district the erection and maintenance of a petroleum storage plant with tanks above ground; premises: 2115-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular

meeting, July 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Neptune avenue is in a business district; West 22nd street is in business, unrestricted and residence districts and West 21st street is in business and residence districts; and

WHEREAS, the decision of the commissioner of buildings, rendered June 14, 1934 (re App. No. 877-1934), reads:

"1. Storage of petroleum in a business zone contrary to article 2, paragraph 4, section 26 of the zone resolution.

"2. Storage of petroleum above ground level contrary to article 8, chapter 10, section 111 of code of ordinance."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 137 ft. on Neptune avenue, 153 ft. on West 22nd street and a distance of 154 ft. along the northeast lot line. The north part of the plot extends into the unrestricted district for a distance of 53 ft.—the remainder is in the business district. It is proposed to remove the frame structure now on the site and to erect thereon a pump and foamite house, 40 ft. by 20 ft. in area, and three (3) approved type steel tanks for the storage of fuel oil, two tanks having a capacity of 60,000 gallons each and one tank having a capacity of 71,000 gallons; to be occupied as a petroleum storage plant; and

WHEREAS, this application was the subject of an inspection by a committee of the board, as reported by the chairman at the hearing; and

WHEREAS, the board deemed that applicant has substantiated his basis of appeal under section 21 of the building zone resolution, and, therefore, is entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 of the building zone resolution, permitting the site under appeal to be used for a fuel oil storage plant, *on condition* that the installation complies with the requirements of the Code of Ordinances and Oil Burner of the Board of Standards and Appeals; that there shall be erected along the line of Neptune avenue and for a distance of approximately 25 ft. from the corner of Neptune avenue and along West 22nd street, a face brick or concrete

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wall not less than 6 ft. in height with but one opening from Neptune avenue, not over 10 ft. in width, such opening to be equipped with a pair of solid heavy gates; that on the easterly interior lot line and on the street building line of West 22nd street, there shall be erected a substantial woven wire fence unless there is erected on the street building line a concrete dike not less than 5 ft. in height above the street grade; that this variance is granted only so long as these premises are used for the purpose of a fuel oil storage plant and that no use other than the variance granted herein shall be permitted or maintained on these premises.

78-34-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Cross Bay Theatre, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr., and J. Sarsfield Kennedy.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.
THE VOTE TO GRANT ON CONDITION FOR FIVE YEARS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative: Assistant Chief Kidney.....	1
Absent	0

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO GRANT ON CONDITION FOR TWO YEARS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(78-34-BZ)

WHEREAS, Joseph D. Nunan, Jr., for Cross Bay Theatre Inc., owner, filed March 27, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises: 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, Part of Lot No. 114), Ozone Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Rockaway boulevard is in a business district; Woodhaven boulevard is in a business and residence districts; 96th street and 103rd avenue are in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 7, 1934, re: Plan No. 187-1934, reads:

"Erection of a gasoline service station in a business district extending into a residence district contrary to article 2, sections 3 and 4 BZR."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 59.5 ft. on Rockaway boulevard; 125 ft. on Woodhaven boulevard and a distance of 73 ft. along the north lot line; upon which it is proposed to erect a one-story office and accessory store, 20 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station. The north part of the plot extends into the residence district for a distance of 25 ft.—the remainder is in the business district; and

WHEREAS, this application was the subject of an inspection which inspection was made and report of same read at hearing of June 12, 1934; and

WHEREAS, this application was laid over at a meeting of June 12, 1934, so that applicant could submit a new sketch of proposed gasoline station in accordance with area of plot in the event of the widening of Woodhaven boulevard, which sketch has been submitted; and

WHEREAS, the board deemed that the application should be granted for a temporary period under section 21.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 of the building zone resolution, *for a period of two (2) years*, from the date of this action, *on condition* that the plot shall be levelled substantially to the grade of Woodhaven boulevard; that there shall remain at all times vacant and unbuilt upon 20 ft. to the east of the plot adjoining the theatre building and an unbuilt-upon yard at the rear of plot leading to Woodhaven boulevard for a width of not less than 10 ft.; that the accessory buildings shall be located toward the northeasterly portion of the gasoline selling area as indicated on plans marked "Received July 10, 1934"; that these accessory buildings shall consist of an office building and greasing buildings as indicated on plan; that these accessory buildings shall not exceed one story in height and shall be constructed throughout with incombustible materials except that roof framing and boarding, windows and doors may be of wood provided the ceilings are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the front of these greasing buildings shall remain open; that there shall be no open excavations under any of the buildings except the pits for greasing racks; that gasoline pumps shall be located substantially as indicated on drawings marked "Received July 10, 1934," except that no pumps shall be nearer than 10 ft. to either street line or to any part of the accessory buildings; that the area shown for planting shall be maintained and shall be protected by stone or concrete curbing; that the balance of the plot where not occupied by accessory buildings and planting shall be either cement-paved or covered with cracked bluestone; that there shall be erected on the interior lot lines where indicated substantial ornamental wood fence not less than 3 ft. in height; that there shall be not over two entrances from Woodhaven boulevard and not over two entrances from Rockaway boulevard; that no entrance shall exceed 25 ft. in width; that no part of any entrance shall be nearer than 5 ft. to the corner formed by Rockaway boulevard and Woodhaven boulevard; that opposite these entrances the cuts in curb shall not exceed 30 ft. in width; that there shall be no portable gasoline pumps used on or from the property; that there shall be no signs advertising non-conforming uses other than the illuminated globes of the gasoline pumps; that other than where permitted entrances occur, there shall be constructed a concrete curb on the street building line not less than 12 in. in width and 6 in. in height, the top surface of which may be rounded; that this variance shall not continue beyond the period of two years or in any event beyond the time when any portion of this property may be taken for the widening of Woodhaven boulevard by the City of New York; that a plan shall be submitted to the board and approved by the chairman in behalf of the board before same is filed with the commissioner of buildings; that all permits shall be obtained

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within three months after such approval of plan and all work completed within nine months from the date of this action.

418-31-BZ.

APPLICANT—McCabe and Hickey, for Gerwan Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened January 23, 1934).

PREMISES AFFECTED—1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo J. Hickey.

For Opposition: Gertrude C. Solez.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(418-31-BZ)

WHEREAS, McCabe and Hickey, for Gerwan Realty Co., Inc., owner, filed August 25, 1931; withdrawn January 8, 1932; reopened January 23, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that McDonald avenue (Gravesend) is in a business district; 19th avenue is in a business district; Parkville avenue and 47th streets are in both residence and business districts; and

WHEREAS, the decision of the commissioner of buildings rendered May 4, 1934, re: Applic. No. 4758-1934, reads:

"Proposed gasoline service station to be located in a business use district is contrary to article 2, section 4a of zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 208.81 ft. on McDonald avenue, 148 ft. 6 in. on Parkville avenue and 210 ft. 8 in. on 47th street, upon which it is proposed to erect a one-story office and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, as reported by the chairman at the hearing; and

WHEREAS, the board deemed that applicant has substantiated his basis of appeal under section 21 of the building zone resolution, and, therefore, is entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 of the building zone resolution, *on condition* that the area to be used for the gasoline selling station shall be that portion only of the triangular plot bounded by McDonald avenue, Parkville avenue and 47th street, as shown on the revised plans marked "Received July 6, 1934," with a frontage on 47th street of 200 ft. and on McDonald avenue of 209 ft.; that the balance of the triangle with a

frontage of approximately 60 ft. on McDonald avenue and 143 ft. on Parkville avenue and approximately 60 ft. on 47th street shall remain vacant and seeded with grass and planted with shrubs and trees, until such time as it can be utilized for a building designed for conforming business uses, connected in no way with the proposed gasoline service station; that the entire triangular block shall be leveled substantially to the level of McDonald avenue; that there shall be erected, as indicated on plans filed with this application, from 47th street to McDonald avenue and along 47th street for a distance of approximately 150 ft. a wall constructed both sides of face brick and suitably coped and not less than 6 ft. in height; that the accessory buildings shall consist of an office and a section for greasing racks; that these buildings shall not exceed one story in height and shall be constructed of incombustible materials, except that the roof framing, roof boarding, floors windows may be of wood, provided that the ceilings are fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the fronts of the greasing section shall remain open; that there shall be no open excavation under these accessory buildings, except the pits for the greasing racks; that all gasoline pumps installed shall be at least 15 ft. from the street building line of 47th street and McDonald avenue and not nearer than 10 ft. to any accessory building; that planting shall be maintained, where indicated, at the rear of the accessory building and toward McDonald avenue and at the angle formed by the intersection of McDonald avenue and 47th street for a distance at least 20 ft.; that around these planting areas there shall be installed stone or concrete curbs for protection; that the balance of the plot where not covered by accessory buildings, walls, planting and gasoline pumps, shall be either cement paved or covered with cracked blue stone; that the entrances to the gasoline selling area shall not exceed three from McDonald avenue and one from 47th street; that these entrances shall not exceed 25 ft. in width each and that opposite these entrances there shall be curb cuts not exceeding 30 ft. each; that between these entrances there shall be constructed and maintained for the protection of the public, reinforced concrete curbs erected on the street building line, not less than 12 inches in width and 6 inches in height, the top surface of which may be rounded; there shall be no portable gasoline tanks used on or from the property; that signs advertising non-conforming use shall be limited to the globes of the gasoline pumps and one upright post standard near the intersection of 47th street and McDonald avenue, excluding all temporary signs of every nature; that lights for general illumination shall be on pipe standards not over 10 ft. in height with metal reflectors arranged to shine downwardly; that working plans shall be submitted to the board for approval by the chairman in behalf of the board, before same are filed with the commissioner of buildings; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

502-32-BZ.

APPLICANT—Lama and Proskauer, for C. J. A. Realty Corp., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under sections 7g and 21 of the building zone resolution, permitting partly in a business district and partly in a residence district, the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—Southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: James Keaney.

ACTION OF BOARD—Application reopened and time extended.

MINUTES

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(502-32-BZ)

WHEREAS, this application affecting premises southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens, was granted by the board July 11, 1933, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on July 11, 1933, be and it hereby is *amended*, only so far as it has to do with the obtaining of permits and completion of work, so that as amended the last clause of the resolution will read:

"that all permits shall be obtained within six months and all work completed within one year from the date of this amended resolution, *on condition* that other than as amended herein, the requirements of the resolution of July 11, 1933, shall be complied with in all other respects."

13-33-BZ.

APPLICANT—Lama & Proskauer, for Still-Kings Realty Corp., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1552-1560 Stillwell avenue, southwest corner of Kings highway (Block No. 6352, Lot No. 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(13-33-BZ)

WHEREAS, this application affecting premises 1552-1560 Stillwell avenue, southwest corner of Kings Highway (Block No. 6253, Lot No. 29), Borough of Brooklyn, was granted by the board, May 16, 1933, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on May 16, 1933, as amended by resolution adopted June 6, 1933 and December 5, 1933, be and hereby is *amended* so far as it has to do with the exterior surface of the walls and accessory buildings, so as to permit all exterior surfaces to be cement stuccoed over common brick; amended as to entrances, as follows:

"That there shall be erected along the street lines of Kings Highway and Stillwell avenue a reinforced concrete curb, not less than 12 inches in width and 6 inches in height, with the top surface rounded; that there shall be not over 4 entrances, 2 to each street front, each entrance not to exceed 25 ft. in width and no part of any opening nearer than 6 ft. to the intersection formed by Kings Highway and Stillwell avenue; that the curb cuts opposite these openings shall not exceed 30 ft. in width; *amended* as to the surfacing of the plot, that the entire area where not covered by accessory buildings shall be either cement paved or covered with cracked blue stone; amended as to the construction of the building so that the accessory buildings shall be constructed of incombustible materials, except that the roof framing, roof boarding, doors and windows may be of wood, and that the ceilings throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that revised plans shall be filed with the board and approved by the Chairman in behalf of the board, before same are submitted to the commissioner of buildings; that other than as amended herein the resolution adopted May 16, 1933, shall be complied with in all respects."

1356-27-BZ.

APPLICANT—M. Emanuel Balt, for M. R. & F. J. Holding Corporation, present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under sections 7c and 21 of the building zone resolution, permitting, partly in a business district and partly in a residence district, also extending from an unrestricted district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—135-147 East 22nd street (Block No. 5133, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. E. Balt.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(1356-27-BZ)

WHEREAS, this application affecting premises 135-147 East 22nd street (Block No. 5133, Lot No. 50), Borough of Brooklyn, was granted by the board June 27, 1928, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on June 27, 1928, be and it hereby is *amended*, only so far as it refers to the use of portable gasoline tanks, so that as amended this portion of the resolution will read:

"that not more than two portable gasoline tanks shall be stored, maintained or operated on the premises, *on condition* that these portable gasoline tanks shall be operated within the building only and not on the street or sidewalk; that other than as amended herein, the requirements of the resolution of June 27, 1928, shall be complied with in all respects."

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215-32-BZ.

APPELLANT—Louis DeRiviere (lessee), for Betty Berk, owner.

SUBJECT—Application for reopening—extension of permit—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence district the maintenance of an open air parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—670-674 Halsey street, south side, 125 ft. west of Patchen avenue (Block No. 1667, Lot No. 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frances Helfert.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(215-32-BZ)

WHEREAS, this application affecting premises 670-674 Halsey street, south side, 125 ft. west of Patchen avenue (Block No. 1667, Lot No. 35), Borough of Brooklyn, was granted by the board July 22, 1932, on certain conditions, and applicant requested an amendment of the resolution and an extension of the permit.

Resolved, that the resolution adopted by the board on July 22, 1932, be and it hereby is *amended*, only so far as it has reference to the term of this variance, so that as amended the resolution will read:

"granted for the use of these premises as an open air parking space for a period of two years, under section 21, from the date of this amended action, on condition that other than as amended herein, the resolution adopted July 22, 1932, shall be complied with in all other respects."

APPEALS FROM ADMINISTRATIVE ORDERS.

80-34-A.

APPELLANT—New York Enamel Products, Inc., lessee.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—702 East 12th street (Block No. 381, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Appellant: Maurice Bierman.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

81-23-A.

APPELLANT—Adolf Hinrichs, for General Baking Co., owner.

SUBJECT—Application for reopening—amendment—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—120 East 144th street (Block No. 2344, Lot No. 112), Borough of The Bronx.

APPEARANCES—

For Appellant: Adolf Hinrichs.

For Administration: None.

ACTION OF BOARD—Appeal reopened and laid over to July 17, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

131-34-A.

APPELLANT—Ridgefield Refrigeration Service, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—643 Brook avenue (Block No. 2361, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Appellant: Abraham Greenberg.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(131-34-A)

WHEREAS, Ridgefield Refrigeration Service, Inc., lessee, filed May 15, 1934, an appeal from an order of the fire commissioner, affecting premises 643 Brook avenue (Block No. 2361, Lot No. 34), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, dated April 24, 1934, re: Order No. 3222-C, reads:

"Surrender to bearer your fire department permit numbered 350457 and dated to expire October 23, 1934, which is hereby revoked.

"Reason: A recent inspection of the above mentioned premises shows that you are conducting a refrigerating plant on these premises and supplying five other buildings with refrigerant from this plant. This is a violation of section 219-B and section 210, Code of Ordinances.

YOU ARE THEREFORE DIRECTED TO

"1. Discontinue the use of refrigeration system which transports a compressed gas from one building to another as per section 210, Code of Ordinances, and section 219-B, chapter 10."

and

WHEREAS, the premises consist of a group of adjoining non-fireproof buildings, 2 and 3 stories (40 feet) in height, 312 feet by 175 feet and 38 feet irregular in area; OCCUPIED as market buildings for the storage and refrigerating of poultry and meats; located within an unrestricted district; and

WHEREAS, the appellant claims the buildings were erected about 1911; the refrigerating machinery room of the central plant is located in the cellar of building No. 643 Brook avenue, containing three compressors and a receiver, using 2,000 pounds of ammonia for the refrigerant by the direct method (Class "A" system); there is a 4 inch flow at 140 pounds normal working pressure, an automatic stop at 210 pounds with a 250 pound safety valve,

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and a 1¼ inch return line with a 150 pound safety valve, leading from the machine room into a tunnel extending 62 feet under and across Brook avenue; thence northerly, 90 feet, under the R. R. loading platform; thence westerly 62 feet, under Brook avenue into building No. 651 Brook avenue, where the horizontal lines extend through the party walls to the other five buildings, rising lines extend to upper stories; each building contains 1,300 feet to 11,200 feet of 2 inch refrigerating pipe; prior to 1934 these buildings were equipped with independent refrigerating systems operated by the direct method during the past 20 years; the appellant contends the present refrigerating system is non-hazardous; extra heavy black ammonia pipe is used, all piping is exposed, accessible and under constant supervision day and night by competent engineers; furthermore, the present unit refrigerating system differs from the several prior approved systems, only from the fact that the individual refrigerating machinery in each building has been disconnected and there is now one central refrigerating machinery room, the interior piping in each building remains the same.

Resolved, that the order of the fire commissioner, No. 3222-C, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the refrigerating piping shall be carried through the adjoining buildings as far as and including No. 665 Brook avenue, all of which buildings are under the control of the appellant under lease from Conran Bros., the owners, except building at No. 647-649 Brook avenue, which is owned by Wilson Co., who have consented to the running of these refrigerating lines through their basement provided that all refrigerating pipes are carried underneath the floors, but not buried therein, and that all refrigerating lines, if now running through tunnels under the street, shall be discontinued and removed; that other than as modified herein the refrigerating plant throughout shall comply in all respects to the rules governing refrigerating systems.

142-34-A.

APPELLANT—Davis & Goldbaum, Inc., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—80-08 Rockaway Beach boulevard, north side, 40 ft. west of Beach 80th street (Block No. 551, Lot No. 3), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Appellant: None.

For Administration: Inspector George F. Blau-rock of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(142-34-A)

WHEREAS, David & Goldbaum, Inc., owner, filed May 26, 1934, an appeal from an order of the commissioner of buildings affecting premises 80-08 Rockaway Beach boulevard, N. S. 40 ft. west of Beach 80th street, (Block No. 551, Lot No. 3), Rockaway Beach, Borough of Queens; and

WHEREAS, the order of the commissioner of buildings, No. 164, dated April 28, 1934, reads:

"You will please take notice that there exists a violation of the Code at the premises hereinafter described, in that

"1. Provide telegraphic communication with fire department headquarters.

"You are therefore ordered and directed by me to stop all work in connection with this operation until the law has been complied with."

and

WHEREAS, the building is non-fireproof, one story (20 ft.) in height, 50 ft. by 135 ft. in area OCCUPIED: stores, offices and motion picture theatre, 700 seats; located within a business district; and

WHEREAS, the appellant claims the building was erected in 1913, equipped with a standpipe system, the rear portion of the building has been used continually as a motion picture theatre since 1913; there is a fire alarm box directly across the street, about 80 feet distant; there is no stage nor dressing room in the building; the theatre is located in Rockaway Beach where there is only a few months business during the Summer; the installation of telegraphic communication with headquarters would involve a heavy expense and a periodic charge per annum, which would be prohibitive and unwarranted in this case; furthermore, the appellant contends that all fire protection equipment is provided as required under articles 23 and 24 of the building code.

Resolved, that the order of the commissioner of buildings, No. 164, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the number of seatings shall at no time exceed 700; that the building shall not be increased in height or area; that the standpipe system shall be maintained in accordance with the rules applicable thereto; that the stage and dressing rooms shall be unoccupied except for ventilating and sound-reproducing machinery; and *granted so long* as there exists a street fire alarm box connected directly with headquarters at the corner of Beach 80th street and Rockaway Beach boulevard, within a distance of approximately 100 ft. of the premises under appeal and a non-coin type of telephone in theatre lobby.

169-34-A.

APPELLANT—Ansonia Fire Prevention Engineering Co., Inc., for Everett Investing Co., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—45 East 17th street, northwest corner 4th avenue (Block No. 846, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(169-34-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Everett Investing Co., owner, filed June 19, 1934, an appeal from an order and a decision of the commissioner of buildings affecting premises 45 East 17th street, northwest corner of Fourth avenue (Block No. 846, Lot No. 33), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, Order No. 11822-F, dated May 1, 1934, reads:

"I. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story.

Section 580-1, chapter 5, code of ordinances and rules of the Board of Standards and Appeals."

and

WHEREAS, the decision of the commissioner of buildings, dated June 4, 1934, reads:

MINUTES

"In reply to your request to dismiss Order No. 11822-F, requiring the standpipe tank to be raised to at least 20 feet above the top story hose valve, you are advised that as the tank is not of the height required by Rule 91 of the Standpipe Rules, your request is denied."

and

WHEREAS, the building, erected in 1908, is fireproof, 17 stories (232 ft.) in height, 127 ft. 7 in. by 142 ft. in area; OCCUPIED: first story, stories; upper stories, offices, approximately 50 persons per story; and

WHEREAS, a standpipe system is installed in the building, supplied from a 9,000 gallons capacity gravity tank; the bottom of the tank being located 6 ft. 6 in. above the outlet in the highest story; and

WHEREAS, the appellant contends that the standpipe system was installed when the building was erected in 1908; proposes to reserve in the tank 3,500 gallons for the standpipe system and contends that the building is equipped with a sprinkler system fed by two 6,500 gallons pressure tanks and one 15,000 gallons gravity tank; contends further that there are watchmen's clock boxes distributed throughout the building.

Resolved, that the order of the commissioner of buildings, No. 11822-F, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting gravity tank to remain in its present height above the roof, *on condition* that it is at least 6 ft. 6 in. above the highest hose outlet on top story; that there shall be at all times not less than 3,500 gallons of water available for standpipe service only and that the house supply line shall be installed so as to take house service through the outside of tank above the 3,500 gallon mark; that the standpipe system shall, other than as modified herein, comply with Rule 91 of the Standpipe-Fire Line Rules; that the sprinkler system shall be maintained in a satisfactory working condition; and that the hose nozzles on top story shall be reduced to 1/2-inch diameter.

170-34-A.

APPELLANT—Ansonia Fire Prevention Engineering Co., Inc., for Elmsbury Houses, Inc., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—23 West 19th street and 18-22 West 20th street (Block No. 821, Lot No. 55), Borough of Manhattan.

APPEARANCES—

For Appellant: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(170-34-A)

WHEREAS, Ansonia Fire Prevention Eng. Co., Inc., for Elmsbury Houses, Inc., owner, filed June 19, 1934, an appeal from an order and a decision of the commissioner of buildings affecting premises 23 West 19th street and 18-22 West 20th street (Block No. 821, Lot No. 55), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, Order No. 11558-F, dated April 24, 1934, reads:

"Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Section 580-1, chapter 5, code of ordinances and rules of the Board of Standards and Appeals."

and

WHEREAS, the decision of the commissioner of buildings, dated June 24, 1934, reads:

"In reference to your request to rescind Order No. 11558-F, the present standpipe tanks to be elevated at least 20 ft. above the hose outlet in the highest story, you are advised that as neither of the present tanks comply with the standpipe rules as to height, supply and pipe connections your request is denied."

and

WHEREAS, the building, erected in 1901, is fireproof, 11 stories (149 ft. 6 in.) in height, 75 ft. by 184 ft. irregular in area with 25 ft. front on 19th street; OCCUPIED: cellar, stock, boiler room, 2; 1st floor, store, 8; 2nd floor, storage, cotton goods in cases; 3rd floor, cutting, pressing pajamas, 16 persons; 4th floor, vacant at present; 5th floor, stock, shipping, cutting pants, 9; 6th floor, vacant at present; 7th floor, manufacturing clothing, 25 persons; 8th floor, manufacturing slippers, 75 persons; 9th floor, manufacturing novelties, 75 persons; 10th floor, manufacturing novelties, 75 persons; and

WHEREAS, a standpipe system is installed in the building fed by two tanks, each of 2,000 gallons capacity; the bottom of the tanks are 9 ft. 3 in. and 9 ft. 2 in. above the outlet in the highest story; and

WHEREAS, appellant contends that the standpipe system was installed when the building was erected in 1901; proposes to rearrange the system so that one of the tanks will be entirely reserved for standpipe use; contends that the building is equipped with a sprinkler system supplied by a 7,500 gallons pressure tank and a 12,000 gallons gravity tank, equipped with a Water Flow Alarm.

Resolved, that the order of the commissioner of buildings, No. 11558-F, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that equalizing line now connecting the two existing 2,000-gallon tanks shall be discontinued; that the steel tank on 20th street portion of the building shall be used solely for standpipe purposes; that at all times there shall be at least 2,000 gallons of water available; permitting this tank to remain at its present height *on condition* that it is not less 9 ft. above the hose outlet in highest story; that other than as modified herein the standpipe system shall comply with the requirements of Rule 91 of the Standpipe-Fire Line Rules; that the sprinkler system shall be maintained to the satisfaction of the administrative official, including the Water Flow Alarm and that the hose nozzles on top story shall be reduced to 1/2-inch diameter.

363-31-A.

APPELLANT—Legrand Bleach Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—111-17 49th street (Block No. 771, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Jacob Carr and Victor P. Nacht.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal not granted.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum

Negative: Assistant Chief Kidney

Absent

THE RESOLUTION—

(363-31-A)

WHEREAS, under date of July 21, 1931, the Legrand Bleach Corp., lessee, filed an appeal with the Board of Standards and Appeals from an order of the fire commissioner affecting premises 111-17 49th street (Block No. 771, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner was complied with and this appeal was withdrawn November 12, 1931, and, thereafter, on May 26, 1934, the Legrand Bleach

MINUTES

Corp., filed a further appeal from an order of the fire commissioner, dated April 11, 1934 (Order No. 64435-LC), as follows:

"With reference to application dated March 24, 1934, requesting a permit for the storage and use of fifteen (15) one ton cylinders of Chlorine gas, fifty gallons Acetic acid, 40 drums of caustic soda, 5 gallons sulphuric acid and 10,000 gallons liquid Caustic Soda, to be used in the manufacture of a bleaching preparation at premises 111-17 49th street, Brooklyn. I regret to state that I am without power to grant a permit for the storage of the above-mentioned materials for the reason that the storage of fifteen one-ton drums of chlorine gas at the above premises is not in the interest of public safety and is dangerous to life.

"You are therefore ordered to remove all chlorine gas from the premises and to discontinue the further storage of chlorine gas on said premises. The storage of one-ton cylinders of chlorine gas creates a dangerous condition and is a violation of section 10, chapter 10, C. O. N. Y."

and

WHEREAS, the building is fireproof, one story in height, 75 ft. by 100 ft. in area, located in an unrestricted district, erected in 1905 and occupied for the manufacture of chlorine bleach; and

WHEREAS, the appellant contends that the use of one-ton chlorine cylinders has been approved by the Interstate Commerce Commission; that the use of one-ton cylinders is not dangerous to life and against the interest of public safety; that one-ton drums have been used by the appellant for the past three years without a single accident or complaint from any source; that one-ton cylinders have been used for a number of years by the Mantrose Corporation, located at 136 41st street, Bush Terminal, Brooklyn, without an accident or complaint; that the building is equipped with a 100 per cent sprinkler system; that a reinforced concrete vat with interior dimensions of 10 ft. by 50 ft. by 3½ ft. high has been built to house a carload of 15 one-ton liquefied chlorine cylinders and that the cylinders are placed and removed when empty from the cars to the storage vat by means of an overhead crane; that the chlorine cylinder storage vat will be protected with an independent overhead sprinkler system and also by flooding a vat with water or a caustic soda solution; that permit after permit has been issued for the use of one-ton cylinders, and now for the first time the department contends that the use of one-ton cylinders is not in the interest of public safety and is dangerous to life; and

WHEREAS, the following motion was put to the board by the chairman:

MOTION is to grant as to Order No. 64435-LC of the fire commissioner, permitting for a period of one year the storage of fifteen (15) one-ton cylinders of liquid chlorine *on condition* that the equipment shall be maintained in accordance with plans as filed with and approved by the Plan Department of the Fire Prevention Bureau under Plan No. 5781-1931; that such additional safeguards shall be installed for the protection of the public as the fire commissioner may direct; that there shall be at all times readily accessible at least six gas masks; that the connections to the cylinders leading to the caustic soda vats shall be through lead pipe protected with steel pipe and such other safeguards as the commissioner may direct; that the existing trolley crane shall be maintained in proper working order; that substantial protective scaffolding shall be constructed around caustic soda tanks and chlorine vats, such scaffolding to be constructed of posts not less than 6 in. by 6 in. with skirting rails not less than 2 in. by 4 in., all of long leaf hard pine or equivalent; that the sprinkler system of building shall be maintained in full compliance with the requirements of the Sprinkler Rules of the Board of Stand-

ards and Appeals, and a special sprinkler system fed from the street service, operated by means of fire department key from exterior of building, shall be maintained in proper working order satisfactory to the commissioner; that the caustic soda tank and the piping therefrom, both by pump and by gravity, shall be maintained in proper working order, and with ample caustic soda maintained in the tank at all times to provide flooding of vat; that the chlorine shall be delivered to the plant only in one-ton drums of a type and design approved by the Interstate Commerce Commission, such drums to be delivered on siding within 16 ft. of special entrance door to chlorine vat on a specially designed flat car, shipped direct from the manufacturing plant without transloading; that this flat car shall be routed from the plant to New York City and lightered to the dock of the Bush Terminal and thence to the factory siding; that all regulations of the Interstate Commerce Commission applicable to the handling of liquid chlorine in ton cylinders shall be complied with; and

WHEREAS, this motion failed of adoption, the vote being 3 in the affirmative and 1 in the negative; and

WHEREAS, the Charter of the City of New York, Chapter XIV-A, section 718d, provides:

"Hearing on appeals shall be before at least four members of the board and the concurring vote of four members of the Board of Appeals shall be necessary to reverse or modify any order, regulation, decision or determination, or to a decision in favor of an applicant upon any matter upon which the board is required to pass under any law, ordinance or resolution."

and

WHEREAS, the concurring vote of four members was not obtained in this appeal.

Resolved, that the order of the fire commissioner be affirmed and the appeal be and it hereby is not granted.

PETITION FOR VARIATION.

171-34-S.

PETITIONER—Ansonia Fire Prevention Engineering Co., Inc., for Bank of New York and Trust Co., owner.

SUBJECT—Petition for variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—26 East 4th street (Block No. 531, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Petitioner: Herman E. Horwood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(171-34-S)

WHEREAS, Ansonia Fire Prevention Eng. Co., Inc., for Bank of New York and Trust Co., owner, filed June 19, 1934, a petition for a variation from the requirements of the labor law as cited in an order and a decision of the commissioner of buildings affecting premises 26 East 4th street (Block No. 531, Lot No. 26), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, Order No. 8401-LD, dated January 19, 1934, reads:

MINUTES

"1. Arrange the fire escape, rear of building, to conform to section 274 of the labor law and the rules of the Board of Standards and Appeals:

"No safe egress from termination to street."

and

WHEREAS, the decision of the commissioner of buildings, dated June 1, 1934, reads:

"In reply to your request to rescind defect F of Order 8401-LD, which requires safe egress from termination of the fire escape on rear of building to street, you are advised that as the egress now provided fails to comply with the requirements of section 274, labor law, your request is denied."

and

WHEREAS, the building erected prior to 1913, is non-fireproof, 5 stories in height, 25 ft. 4 in. by 74 ft. 10 in. in area at 1st story and 25 ft. 4 in. by 55 ft. 10 in. in area above; OCCUPIED: 1st story, printing, 3 persons; 2nd story, printing, 2 persons; upper stories, vacant at present; EQUIPPED with a fire alarm signal system; EXITS: an interior wood stairway, extending from the 1st story to roof; enclosed in studs, wire lath and cement mortar partitions with fireproof self closing doors at opening; a fire escape on the rear of the building having fireproof openings along the course thereof, extending from the room to the fireproof roof of the one-story extension; with EGRESS from the termination of the fire-escape by means of stairs to open yards at rear and also to fire-escape on rear of building at rear (No. 30 Great Jones street); ROOFS of adjoining buildings: to west 2 ft. to 4 ft. lower; to east 4 stories higher; and

WHEREAS, the petitioner contends that a petition from a similar order as to the egress from the termination of the fire-escape on the rear of No. 30 Great Jones street was granted by the board under similar conditions as to the open rear yards.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the petition be and it hereby is *granted*, as to Order No. 8401-LD, *on condition* that the fire escape in the rear shall comply with section 274 of the labor law, except as to exit from the termination thereof, provided this fire escape shall terminate at the yard level at the rear of this building and that said yard shall be connected with the open yards of the adjacent buildings on East 4th street and Great Jones street, as indicated on plans filed with this petition, showing exits by means of fire escapes and doors through to the streets; that this building shall not be increased in height or area and that the occupancy shall be limited to the capacity of the primary means of exit.

APPLIANCES SUBMITTED FOR APPROVAL.

155-34-SA.

PETITIONER—Francis F. Pannaman, for The Michigan Burner Company, owner.

SUBJECT—Midget Oil Burner, approval of.

APPEARANCES—

For Petitioner: Francis F. Pannaman.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

181-34-SA.

PETITIONER—Detroit Lubricator Co., owner.

SUBJECT—Genuine Detroit Constant Level Valve, Models CRC-160, CRC-180, CRC-150, CRC-350 and CRC-550—Types A, D, H, K, L, M, S, S-1, S-2, V-1-2-3-4, approval of.

APPEARANCES—

For Petitioner: A. A. Putt.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

182-34-SA.

PETITIONER—Detroit Lubricator Co., owner.

SUBJECT—Genuine Detroit Anti-Syphon Valve, Model CRC-100, Type V and S, approval of.

APPEARANCES—

For Petitioner: A. A. Putt.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

183-34-SA.

PETITIONER—Kohler Co., owner.

SUBJECT—Kohler "Integra" K-5500 One-Piece Syphon Jet Water Closet, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to the engineer of the Board for test and report.

184-34-SA.

PETITIONER—David Kaufman, for Vapofier Corp., owner.

SUBJECT—Vapofier Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

Adjourned: 5:30 P. M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

PLUMBING, DRAINAGE, WATER SUPPLY, GAS PIPING AND VENTILATION OF BUILDINGS.

Adopted by the Superintendents of Buildings, Effective April 23, 1912; Amended by the Board of Standards and Appeals, July 5, 1917; December 27, 1918; March 8, 1921; October 21, 1921; July 17, 1923; January 8, 1924; May 5, 1931 and November 12, 1931.

Filing of Drawings, Descriptions, Etc.

1. Drawings and triplicate descriptions, on forms furnished by the Department of Buildings for all Plumbing and Drainage, shall be properly filled in, and filed by the owner or architect in the said Department. The plans must be drawn to scale in ink, on cloth, or they must be cloth prints of such scale drawings, and shall consist of such floor plans and sections as may be necessary to show clearly all plumbing work to be done, and must show partitions and methods of ventilating water-closet apartments.

2. The said plumbing and drainage shall not be commenced or proceeded with until said drawings and descriptions shall have been so filed and approved by the Commissioner of Buildings.

3. No modification of the approved drawings and descriptions will be permitted unless either amended drawings and triplicate descriptions, or an amendment to the original drawings and descriptions, covering the proposed change or changes, are so filed and approved by the Commissioner of Buildings.

4. The drainage and plumbing of all buildings, both public and private, shall be executed in accordance with the rules and regulations of the Department of Buildings.

5. Repairs or alterations of plumbing or drainage may be made without filing drawings and descriptions in the Department of Buildings, but such repairs or alterations shall not be construed to include cases where new vertical lines or horizontal branches of soil, waste, vent or leader pipes are proposed to be used.

6. Notice of such repairs or alterations shall be given to the said department before the same are commenced in such cases as shall be prescribed by the rules and regulations of the said department, and the work shall be done in accordance with the said rules and regulations.

7. Where repairs or alterations, ordered by the Board of Health or Tenement House Department for sanitary reasons, include cases where new vertical and horizontal lines of soil, waste, vent or leader pipes are proposed to be used or old ones replaced, drawings and descriptions must be filed with and approved by the Commissioner of Buildings before same shall be commenced or proceeded with.

8. Repairs and alterations may comply in all respects with the weight, quality, arrangement and venting of the rest of the work in the building. Except when an existing soil, waste or vent line has been damaged by fire or other causes to the extent of 50 per cent or more of its entire length, same must be replaced by new lines installed in accordance with the rules and regulations governing new lines.

9. No plumbing and drainage or any part thereof shall be commenced until the plumber who is to do the work shall sign the specifications and make affidavit that he is duly authorized to proceed with the work. Affidavit must give the name and address of owner and plumber, etc. No registered plumber shall sign the specifications and act as the agent for a plumber who has not obtained a certificate of competency from the Examining Board of Plumbers as an Employing or Master Plumber. A violation of this rule will be deemed a sufficient reason by the Commissioner of Buildings for the cancellation of a Certificate of Registration, in accordance with Chapter 803, Laws of 1896.

10. One set of specifications will be received for not

more than ten houses, and then only when on adjoining lots and houses are exactly alike.

11. Written notices must be given to the Commissioner of Buildings by the plumber when any work is begun, and at such times as the work is ready for inspection.

Definition of Terms.

12. The term "private sewer" is applied to main sewers that are not constructed by and under the supervision of the Department of Public Works.

13. The term "house sewer" is applied to that part of the main drain or sewer extending from a point two feet outside of the outer front wall of the building, vault or area to its connection with public sewer, private sewer or cesspool.

14. The term "house drain" is applied to that part of the main horizontal drain and its branches inside the walls of the building, vault or area and extending to and connecting with the house sewer.

15. The term "soil line" is applied to any vertical line of pipe having outlets above the floor of first story for water closet connections.

16. The term "waste line" is applied to any vertical line of pipe having outlets above the first floor for fixtures other than water closet.

17. The term "vent pipe" is applied to any special pipe provided to ventilate the system of piping and to prevent trap siphonage and back pressure.

Materials and Workmanship.

18. All materials must be of the best quality, free from defects, and all work must be executed in a thorough, workmanlike manner.

19. All cast-iron pipes and fittings must be uncoated, sound, cylindrical and smooth, free from cracks, sand holes and other defects, and of uniform thickness.

20. Pipe, including the hub, shall weigh not less than the following average weights per linear foot:

Diameters	Weights per Linear Foot	
	Standard	Extra Heavy
2 inches.....	3 3/5	5 1/2 pounds
3 inches.....	5 1/5	9 1/2 pounds
4 inches.....	7	13 pounds
5 inches.....	9	17 pounds
6 inches.....	11	20 pounds
7 inches.....	14	27 pounds
8 inches.....	17	33 1/2 pounds
10 inches.....	23	45 pounds
12 inches.....	33	54 pounds

Standard pipe may be used above ground in residence buildings not exceeding two stories and basement in height. In all other buildings extra heavy pipe shall be used.

21. The size, weight and maker's name must be cast on each length of pipe.

22. All joints must be made with picked oakum and molten lead and be made gas tight. Twelve ounces of fine, soft pig lead must be used at each joint for each inch in the diameter of the pipe when extra heavy pipe is used, and nine ounces when standard pipe is installed.

23. All wrought iron and steel pipes must be equal in quality to "standard" and must be properly tested by the manufacturer. All pipe must be lap-welded. No plain black or uncoated pipe will be permitted.

24. All wrought iron or steel water supply, vent, waste and soil pipes must be galvanized.

RULES

25. Where galvanized wrought iron or steel pipe is required the fittings used on same must also be galvanized.

26. Fittings for waste or soil and refrigerator waste pipes must be cast-iron recessed and threaded drainage fittings, with smooth interior waterway, and threads tapped, so as to give a uniform grade to branches of not less than one-fourth of an inch per foot.

27. Short nipples on wrought iron or steel pipe, where the unthreaded part of the pipe is less than one and one-half inches long, must be of the thickness and weight to correspond to weight of pipe.

28. The pipe shall not be less than the following average thickness and weight per linear foot:

Diameter	Thicknesses	Weights per Linear Foot
1½ inches	.14 inches	2.68 pounds
2 inches	.15 inches	3.61 pounds
2½ inches	.20 inches	5.74 pounds
3 inches	.21 inches	7.54 pounds
3½ inches	.22 inches	9.00 pounds
4 inches	.23 inches	10.66 pounds
4½ inches	.24 inches	12.34 pounds
5 inches	.25 inches	14.50 pounds
6 inches	.28 inches	18.76 pounds
7 inches	.30 inches	23.27 pounds
8 inches	.32 inches	28.18 pounds
9 inches	.34 inches	33.70 pounds
10 inches	.36 inches	40.06 pounds
11 inches	.37 inches	45.02 pounds
12 inches	.37 inches	48.98 pounds

29. All brass pipe for soil, waste and vent pipes and solder nipples must be thoroughly annealed, drawn, brass tubing, of standard iron-pipe gauge.

30. Connections on brass pipe and between brass pipe and traps on iron pipe must not be made with slip joints of couplings. Threaded connections on brass pipe must be of the same size as iron pipe thread for same size of pipe and be tapered.

31. The following average thicknesses and weights per linear foot will be required:

Diameters	Thicknesses	Weights per Linear Foot
1½ inches	.14 inches	2.84 pounds
2 inches	.15 inches	3.82 pounds
2½ inches	.20 inches	6.08 pounds
3 inches	.21 inches	7.92 pounds
3½ inches	.22 inches	9.54 pounds
4 inches	.23 inches	11.29 pounds
4½ inches	.24 inches	13.08 pounds
5 inches	.25 inches	15.37 pounds
6 inches	.28 inches	19.88 pounds

32. Where light or heavy pipe is used brass ferrules must be of best quality cast brass, not less than 4 inches long and 2 inches and 3 inches and 4 inches in inside diameter and not less than the following weights:

Diameters	Weights
2 inches	1 pound 0 ounces
3 inches	1 pound 12 ounces
4 inches	2 pounds 8 ounces

33. One and one-half inch ferrules are not permitted.

34. Soldering nipples must be heavy cast brass or of brass pipe, iron pipe-size. When cast they must not be less than the following weights:

Diameters	Weights
1½ inches	0 pound 8 ounces
2 inches	0 pound 14 ounces
2½ inches	1 pound 6 ounces
3 inches	2 pounds 0 ounces
4 inches	3 pounds 8 ounces

35. Brass screw caps for cleanouts must be extra heavy, not less than one-eighth of an inch thick. The screw cap must have a solid square or hexagonal nut, not less than one inch high, with a least diameter of one and one-half inches. The body of the cleanout ferrule must be at least equal in weight and thickness to the caulking ferrule for the same size of pipe.

36. Where cleanouts are required by rules and by the approved plans, the screw cap must be of brass. The engaging part must have not less than six threads of iron-pipe size and be tapered. Cleanouts must be of full size of trap up to four inches in diameter, and not less than four inches for larger traps.

37. The use of lead pipes is restricted to the short branches of the soil and waste pipes, bends and traps, roof connections of inside leaders.

"Short branches" of lead pipe shall be construed to mean not more than:

8 feet of	1½ inch pipe
5 feet of	2 inch pipe
2 feet of	3 inch pipe
2 feet of	4 inch pipe

38. All connections between lead pipes and between lead and brass or copper pipes must be made by means of "wiped" solder joint.

39. All lead waste, soil, vent and flush pipes must be of the best quality, known in commerce as "D," and of not less than the following weights per linear foot:

Diameters	Weights per Linear Foot
1¼ inch (for flush pipes only)	2½ pounds
1½ inches	3 pounds
2 inches	4 pounds
3 inches	6 pounds
4 and 4½ inches	8 pounds

40. All lead traps and bends must be of the same weights and thicknesses as their corresponding pipe branches. Sheet lead for roof flashings must be six-pound lead, and must extend not less than six inches from the pipe, and the joint made watertight.

41. Copper tubing, when used for inside leader roof connections, must be seamless drawn tubing, not less than 22 gauge, and when used for roof flashings must be not less than 18 gauge.

General Regulations.

42. Each building must be separately and independently connected with a public or private sewer, or cesspool, except where a building is located on the rear of the same lot with another building, when its plumbing and drainage system may be connected to the house-drain of the front

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building behind the house trap and fresh air inlet which shall be used for both buildings if sewer connected; or may be connected to an existing cesspool of front house and be provided with a separate house trap and fresh air inlet.

43. Every building must have its sewer connections directly in front of the building, unless permission is otherwise granted by the Commissioner of Buildings.

44. Where there is no sewer in the street or avenue, and it is possible to construct a private sewer to connect in an adjacent street or avenue, a private sewer may be constructed, to be used in common for one or more buildings. It must be laid outside the curb under the roadway.

45. Cesspool and privy vaults will be permitted only after it has been shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary.

46. When allowed, they must be constructed strictly in accordance with the terms of the permit issued by the Commissioner of Buildings.

47. Cesspools must not be used as privy vaults nor can privy vaults be used as cesspools. Cesspool and privy vaults must be located at least 15 feet from any building and on the same lot as building for which their use is intended. Walls of cesspools and privy vaults when constructed of brick must be 8 inches thick; if of stone, 18 inches thick. Bottoms of cesspools and privy vaults must be of stone concrete 6 inches thick. The entire interior surface of cesspools and privy vaults must be finished with a coating of Portland cement mortar 1 inch thick.

48. As soon as it is possible to connect with a public sewer, the owner must have the cesspool and privy vault emptied, cleaned and disinfected and filled with fresh earth, and have a sewer connection made in the manner herewith prescribed.

49. All pipe lines must be supported at the base on brick piers, or by heavy iron hangers from the cellar ceiling-beams, and along the line by heavy iron hangers at intervals of not more than ten feet.

50. All pipes, issuing from extensions or elsewhere, which would otherwise open within 20 feet of the window of any building, must be extended above the top of any window located within such distance. When a building exceeds in height that of an adjoining building, and windows or openings are cut in the wall on the lot line within 20 feet of the roof terminal of any soil, waste or vent line now in place or subsequently installed in the lower building, the owner of the higher building shall defray the expense of extending said soil, waste or vent lines above the roof of the higher building, or shall himself make such alteration.

51. The arrangement of all pipes must be as straight and direct as possible. Offsets will be permitted only when unavoidable.

52. All pipes and traps should, where possible, be exposed to view. They should always be readily accessible for inspection and repairing.

53. In every building where there is a leader connected to the drain, if there are any plumbing fixtures, there must be at least one four (4) inch pipe extending above the roof for ventilation.

Yard, Area and Other Drains.

54. All yards, areas and courts exceeding 15 square feet in area must be drained into the sewer. A shaft open at the top not exceeding 25 square feet in area, and which cannot be connected in back of a leader, yard, court or area drain trap, may be drained into a publicly-placed, water-supplied, properly trapped and vented slop sink.

55. These drains, when sewer-connected, must have con-

nections not less than three inches in diameter. They should be controlled by one trap—the leader trap, if possible.

56. Floor drains will only be permitted when it can be shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary and arrangements made to maintain a permanent water seal in the traps.

57. Celler drains may be connected in back of and controlled by a leader, yard, court or area drain trap which need not be vented.

58. Subsoil drains should discharge into a sump or receiving tank, the contents of which if discharged by gravity may be discharged into a rain leader, yard, court or area drain behind the trap controlling same or may be discharged through a properly-trapped and vented, water-supplied receptacle. Where mechanical force is required to discharge the contents into the plumbing and drainage system, a proper automatic cut-off or check valve must be provided on the connection between house-drain and apparatus used for raising the contents of sump-pit.

59. The contents of settling chamber or dust receptacle for vacuum cleaners may be discharged into a Plumbing and Drainage system, the same as sub-soil drain sump-pits.

Leaders.

60. Every building shall be kept provided with proper metallic gutters and rain leaders for conducting water from all roofs in such manner as shall protect the walls and foundations from injury. In no case shall the water from any rain leader be allowed to flow upon the sidewalk or adjoining property, but the same shall be conducted by proper pipes to the sewer. If there be no sewer in the street upon which the building fronts, then the water from said leaders may be conducted by proper pipes laid below the surface of sidewalk to the street gutter, or may be conducted by extra heavy cast-iron pipe to a leeching cesspool located at least 20 feet from any building. No plumbing fixtures shall discharge into a leeching cesspool.

61. Inside leaders must be made of cast-iron, wrought iron or steel, with roof connections made gas and water tight by means of a heavy lead or copper-drawn tubing wiped to a brass ferrule or nipple caulked or screwed into the pipe.

62. Outside leaders may be made of sheet metal, but they must connect with the house drain by means of a cast-iron pipe extending vertically five feet above the grade level.

63. Leaders must be trapped with cast-iron running traps so placed as to prevent freezing.

64. Rain-water leaders must not be used as soil, waste or vent pipes, nor shall any such pipe be used as a leader.

The House Sewer, House Drain, House Trap and Fresh Air Inlet.

65. Old house sewers may be used in connection with new buildings or new plumbing only when they are found, on examination by the plumbing inspector, to conform in all respects to the requirements governing new sewers.

66. When a proper foundation consisting of a natural bed of earth, rock, etc., can be obtained, the house sewer can be of earthenware pipe.

67. Where the ground is made or filled in, or where the pipes are less than three feet deep, or in any case where there is danger of settlement by frost or from any cause, and when cesspools are used, the house sewer must be of extra heavy cast-iron pipe, with lead-caulked joints.

68. No earthenware house-drain, when found in a leaky or defective condition, shall be repaired or replaced except with heavy cast-iron pipe.

69. The house-drain and its branches must be of extra heavy cast iron when under ground, and of extra

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heavy cast iron or galvanized wrought iron or steel when above ground, except as provided in Rule 20 of these rules.

70. The house drain must properly connect with the house sewer at a point two feet outside of the outer front vault or area wall of the building. An arched or other proper opening must be provided for the drain in the wall to prevent damage by settlement.

71. The house drain if above the cellar floor must be supported at intervals of ten feet by eight-inch brick piers or suspended from the floor beams, or be otherwise properly supported by proper hangers placed not more than 10 feet apart.

72. No steam-exhaust, boiler blow-off or drip-pipe shall be connected with the house-drain. Such pipes must first discharge into a proper condensing tank, and from this a proper outlet to the house sewer outside of the building must be provided. In low pressure steam systems the condensing tank may be omitted, but the waste connections must be otherwise as above required.

73. The house-drain and house-sewer must be run as direct as possible, with a fall of at least one-quarter inch per foot, all changes in direction made with proper fittings, and all connections made with Y branches and one-eighth and one-sixteenth bends.

74. The house-sewer and house-drain must be at least four inches in diameter when receiving the discharge of a water-closet. Where rain leaders are connected to the plumbing system, the sizes of house-sewer, house-drain and leader connections shall be computed according to the square feet of area drained into them. No house-sewer or house-drain shall be of less diameter than the largest line of pipe connected thereon. The following table is the maximum area allowed to drain into pipes of given diameter:

Diameter of Pipe	Fall ¼ Inch Per Foot	Fall ½ Inch per Foot
3.....	1,200 square feet	1,500 square feet
4.....	2,500 square feet	3,200 square feet
5.....	4,500 square feet	6,000 square feet
6.....	8,000 square feet	10,000 square feet
7.....	12,400 square feet	15,600 square feet
8.....	18,000 square feet	22,500 square feet
9.....	25,000 square feet	31,500 square feet
10.....	41,000 square feet	59,000 square feet
12.....	69,000 square feet	98,000 square feet

75. Full size Y and T branch fittings for handhole cleanouts must be provided where required on house-drain and its branches. No cleanout need be larger than 6 inches in diameter.

76. An iron running trap must be placed in the house-drain near the front wall of the house, and on the sewer side of all connections, except a Y fitting used to receive the discharge from an automatic sewage lift, oil separator, or a drip-pipe where one is used. If placed outside of the house or below the cellar floor, it must be made accessible in a brick manhole, the walls of which must be eight inches thick, with an iron or flagstone cover. When outside the house it must never be less than three feet below the surface of the ground.

77. When the plumbing system of any building is altered by the addition of a new soil, waste or vent line to the extent of 50 per cent. or more, and no house trap and fresh air inlet or leader trap exists on the house-drain, same shall be provided.

78. The house trap must have two cleanouts, with brass screw cap ferrules caulked in.

79. A fresh-air inlet pipe must be connected with the house-drain just inside of the house trap and extended to the outer air, terminating with open end at least one foot

above the grade at most available point to be approved by the Commissioner of Buildings and shown on plans. The fresh-air inlet pipe shall be one-half the diameter of house-drain but not less than 4 inches in diameter.

80. No curb box or similar device with grating placed in sidewalk will be permitted for fresh air inlets.

Soil and Waste Lines.

81. All main, soil, waste or vent pipes must be of iron, steel or brass.

82. When they receive the discharge of fixtures on any floor above the first, they must be extended in full calibre at least one foot above the roof coping, and well away from all shafts, windows, chimneys or other ventilating openings. When less than four inches in diameter, they must be enlarged to four inches at a point not less than one foot below the roof surface by an increaser not less than nine (9) inches long.

83. No caps, cowls or bends shall be affixed to the top of such stack.

84. In all buildings, wire baskets must be securely fastened into the opening of each pipe in an accessible position. When roofs are used for drying purposes or roof gardens, all pipes shall be extended to a height of seven feet.

85. Necessary offsets above the highest fixture branch must not be made at an angle of less than forty-five degrees to the horizontal.

86. Soil and waste pipes must have proper Y or TY branches for all fixture connections.

87. No connection to lead branches for water-closets or slop sinks will be permitted, except the required branch vent.

88. Branch soil and waste pipe must have a fall of at least one-quarter inch per foot.

89. Short TY branches will be permitted on vertical lines only. Long one-quarter bends and long TY's are permitted. Short one-quarter bends and double hubs, short roof increasers and common offsets, and bands and saddles are prohibited.

90. The diameters of soil and waste pipes must not be less than those given in the following table:

Main soil stacks in buildings serving not more than two sets of fixtures in four or less stories	4	inches
Main soil stacks in residence buildings serving not more than two sets of fixtures in five or six stories	4	inches
Main soil stacks in all other cases.....	5	inches
Branch soil pipes for not more than four water-closets	3	inches
Branch soil pipes for more than four water-closets	4	inches
Main waste stacks	2	inches
Main waste stacks for kitchen sinks on six or more floors	3	inches
Branch waste pipes for slop sinks.....	3	inches
Branch waste pipes for laundry tubs.....	1½	inches
When set in ranges of three.....	2	inches
Branch waste for kitchen sinks.....	2	inches
Branch waste for urinals.....	2	inches
Branch waste for other fixtures.....	1½	inches

A set of fixtures, as used in this rule, shall include not more than one water-closet, one bath tub, one wash basin, one sink and two laundry trays.

Vent Pipes.

91. All traps, except approved anti-siphon traps con-

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nected to main waste or soil lines or to the house drain by branch piping not over seven (7) feet in length with a fall not exceeding two (2) inches per foot, shall be protected from siphonage and back-pressure by special lines of vent pipes; provided that where approved deep-seal siphon-jet water-closet or slop sink fixtures are installed with branch piping not over five (5) feet in length from fixture to main soil or waste line, the vent pipe may be omitted for such fixtures in buildings not over eight (8) stories in height, and where the main soil or waste line is made one inch larger in diameter than required by these rules, the vent pipe may also be omitted for such fixtures in buildings over eight (8) stories in height.

92. All vent pipe lines and main branches must be of iron, steel or brass. They must be increased in diameter and extended above the roof as required for waste pipes. They may be connected with the adjoining soil or waste line well above the highest fixture, but this will not be permitted when there are fixtures on more than six floors.

93. All offsets must be made at an angle of not less than forty-five degrees to the horizontal, and all lines must be connected at the bottom with a soil or waste pipe or the drain in such a manner as to prevent the accumulation or rust scale.

94. Branch vent pipes shall be kept above the top of all connecting fixtures, so as to prevent the use of vent pipes as soil pipes or waste pipes. Branch vent pipes should be connected not less than six inches nor more than two feet from crown or trap or side of lead bend.

95. Except where "yoke type" ventilation is installed, vent connection for water-closets and slop sinks must be made from the branch soil or waste pipe just below the trap of the fixture, and the branch vent pipe must be so connected as to prevent obstruction, and no waste pipe connected between it and the fixture. Earthenware traps must have no vent horns.

"Yoke type" ventilation shall be taken to mean a cross connection, by means of a horizontal branch soil or waste pipe, between the main soil or waste line and the vent line, and in which the connection between the branch pipe and the vent line is made at least six (6) inches above the line of fixtures discharging into such branch pipe.

96. No sheet metal, brick or other flue shall be used as a vent pipe.

97. The sizes of vent pipes throughout must not be less than the following:

For main vents, two inches in diameter; for water-closets on three or more floors, three inches in diameter; for other fixtures on less than seven floors, two inches in diameter; three-inch vent pipe will be permitted for less than nine stories; for more than eight and less than sixteen stories, four inches in diameter; for more than fifteen and less than twenty-two stories, five inches in diameter; for more than twenty-one stories the size of the vent pipe shall be determined by the Commissioner of Buildings.

For fixtures other than water-closets and slop sinks and for more than eight stories, vent pipes may be one inch smaller in diameter than above stated.

For long branch vent pipes over 10 feet in length but not exceeding 25 feet, two inches in diameter; when over 25 feet in length but not exceeding 50 feet, three inches in diameter. No branch vent pipe can exceed 50 feet in length, nor can any main vent be of less diameter than the largest branch vent connecting to same.

98. When the plumbing fixtures installed in any building are arranged in groups or batteries, "yoke type" ventilation may be installed, provided that for batteries of water-closets each fixture shall be set not more than two (2) feet distant from the horizontal branch soil pipe into which it discharges, and for batteries of fixtures other than

water-closets each fixture shall be so located that its trap will be not more than two (2) feet distant from the horizontal branch waste line into which it discharges. When the ordinary type of venting is installed and the number of branch or back vents from the traps of fixtures connecting to any main branch vent exceeds the number and size given in the following table, a 3-inch main branch vent must be provided for the additional vent connections.

2-1½ inch branches on a 1½ inch main branch.	
4-2 inch branches on a 2 inch main branch.	
7-1½ inch branches on a 2 inch main branch.	
2-2 } inch branches on a 2 inch main branch.	
4-1½ } inch branches on a 2 inch main branch.	
1-2 } inch branches on a 2 inch main branch.	
5-1½ } inch branches on a 2 inch main branch.	

Traps.

99. No form of trap will be permitted to be used unless it has been approved by the Commissioner of Buildings or the Board of Standards and Appeals.

No anti-siphon trap or deep-seal siphon-jet fixture shall be approved until it has successfully passed such test as may be prescribed by the Board of Standards and Appeals.

100. No masons' cesspool, bell, pot, bottle or D-trap will be permitted, nor any form of trap that it not self-cleaning, nor that has interior chamber or mechanism, nor any trap except earthenware ones that depend upon interior partitions for a seal. Backwater or tide valves will only be permitted when it can be shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary and of a type as approved by him.

101. Every fixture must be separately trapped by a water-sealing trap placed as close to the fixture outlet as possible, and no trap shall be placed more than 2 feet 0 inches from any fixture.

102. A set of not more than three wash trays may connect with a single trap, or into the trap of an adjoining sink, provided both sink and tub waste outlets are on the same side of the waste line, and the sink is nearest the line. When so connected, the waste pipe from the wash trays must be branched in below the water-seal.

103. The discharge from any fixture must not pass through more than one trap before reaching the house-drain.

104. All traps must be well supported and set true with respect to their water levels.

105. All fixtures, other than water-closets and urinals, must have strong metallic strainers or bars over the outlets to prevent obstruction of the waste pipe.

106. All exposed or accessible traps, except water-closet traps, must have brass trap screws for cleaning the trap placed on the inlet side, or below the water level.

107. All iron traps for house-drain, yard and other drains and leaders must be running traps with handhole cleanouts of full size of the traps, when same are less than five (5) inches. All traps under ground must be made accessible by brick manholes with proper covers.

108. Overflow pipes from fixtures must in all cases be connected on the inlet side of traps.

109. All earthenware traps must have approved heavy brass floor plates properly secured to the branch soil pipe and bolted to the trap flange, and the joint made gas-tight. The use of rubber washers for floor connections is prohibited. All floor flanges must be set in place and inspected before any water-closet is set thereon.

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110. No trap shall be placed at the foot of main soil and waste pipe lines.

111. Every plunge bath shall be provided with a trap at least four inches in diameter, the waste from trap to bath to be reduced to two inches in diameter and this waste to be controlled by a gate valve. Overflow pipes, if provided, must be connected on inlet side of trap. Except where an approved anti-siphon trap is installed in the manner specified in Rule 91, such trap must be ventilated by a separate vent line extended above the roof, of the same size as trap and water connection.

112. The sizes for traps must not be less than those given in the following table:

Traps for water-closets.....	4	inches in diameter
Traps for slop sinks.....	3	inches in diameter
Traps for kitchen sinks.....	2	inches in diameter
Traps for wash trays.....	2	inches in diameter
Traps for urinals.....	2	inches in diameter
Traps for shower-baths.....	2	inches in diameter
Traps for other fixtures.....	1½	inches in diameter

Traps for leaders, area, floor and other drains must be at least 3 inches in diameter.

113. Every dental cuspidor must be separately trapped by a trap of at least one and one-half (1½) inches in diameter, which shall be vented except where an approved anti-siphon trap is installed in the manner specified in Rule 91, and placed as close to the fixture as possible. The connection between trap and cuspidor may be three-quarters (¾) of an inch in diameter.

114. No plumbing fixtures, except bar sinks, soda fountains or drinking fountains, shall be installed with an indirect waste connection to the plumbing and drainage system. The waste of every bar sink, soda fountain and drinking fountain, if not directly connected, must discharge over a properly water-supplied, trapped sink, with trap vented, unless an approved anti-siphon trap is installed in the manner specified in Rule 91. The main waste lines shall be two (2) inches in diameter, and the branches to fixtures at least one and one-half (1½) inches in diameter. Drinking fountains must be trapped and the waste line extended through the roof. No vent connections need be provided.

Safe and Refrigerator Waste Pipes.

115. Safe and refrigerator waste pipes must be of galvanized iron, and be not less than 1¼ inches in diameter nor larger than 1½ inches in diameter with pipe branches at least 1 inch in diameter with strainers over each inlet.

116. Safe and refrigerator waste pipes shall not be trapped. They must discharge over a properly water-supplied, trapped sink, with trap vented unless an approved anti-siphon trap is installed in the manner specified in Rule 91, such sink to be publicly placed, and not more than 4 feet above the floor. In no case shall any refrigerator or safe waste pipe discharge over a sink located in a room used for living purposes.

117. The branches on vertical lines must be made by Y or TY fittings and carried up to the safe with as much pitch as possible.

118. Lead safes must be graded and neatly turned over bevel strips at their edges.

119. Where there is an offset on a refrigerator waste pipe in the cellar, there must be cleanouts to control the horizontal part of the pipe.

120. In all lodgings and tenement houses the safe and refrigerator waste pipes must extend above the roof.

Water Closets, Sinks and Washtubs.

(Good except as relating to tenement houses and factories)

121. In all buildings occupied as stores, dwellings, lodging or boarding houses, hotels, offices, lofts, workshops, factories or storage houses, there must be at least one water-closet in each building. There must be sufficient water-closets so that there will never be more than 15 persons to each water-closet. In places of public assembly, the number of toilets and the most available location are to be determined by the Commissioner of Buildings.

122. Separate water-closets and toilet rooms must be provided for each sex in buildings used as workshops, lofts, office buildings, factories, hotels, and all places of public assembly.

123. In lodging houses, there must be one water-closet on each floor, and where there are more than 15 persons on any floor there must be an additional water-closet on that floor for every 15 additional persons or fraction thereof.

124. In tenement houses, lodging houses, factories, workshops, and all public buildings, the entire water-closet apartment, and side walls to a height of six inches from the floor, except at the door, must be made waterproof with asphalt, cement, tile, metal or other waterproof material as approved by the Commissioner of Buildings.

125. In all buildings, the water-closet and urinal apartments must be ventilated to the outer air by windows opening on the same lot upon which the building is situated or by a ventilating skylight placed over each room or apartment wherein such fixtures are located.

126. In all buildings, the outside partition of any water-closet or urinal apartment must be air-tight and extend to the ceiling or be independently ceiled over. When necessary to properly light such apartments, the upper part of the partitions must be provided with translucent glass. The interior partitions of such apartments must be dwarfed partitions.

127. The general water-closet accommodation of any building cannot be placed in the cellar, nor can any water-closet be placed outside of a building except to replace an existing water-closet.

128. In alteration work where it is not practicable to ventilate a water-closet or urinal apartment by windows or a skylight directly to the outer air, there may be provided a galvanized wrought iron vent duct extended to the outer air which must be equal in area to at least 144 inches for one water-closet or urinal, and an additional 72 square inches for each water-closet added therein.

129. Where water-closets will not support a rim-seat, the seat must be supported on galvanized iron legs.

130. Every earthenware water-closet with connection through the floor in all new work, and in all alterations, must be set on an approved floor slab of porcelain, slate or other material impervious to moisture, same to be not less in size than the base of the water-closet set thereon.

131. All water-closets must have earthenware flushing rim bowls. They must be set entirely free and open from all enclosing woodwork.

132. Pan, plunger, offset-washout and washout, or other water-closets having an unventilated space, or the walls of which are not thoroughly washed out at each discharge, will not be permitted.

133. Long hopper water-closets will not be permitted, except earthenware hoppers where there is an exposure to frost.

134. Drip trays on water-closets will not be permitted.

135. Water-closets and urinals must never be connected directly with or flushed from the water-supply pipes, except when flushometer valves are used.

136. Each water-closet and urinal must be flushed from a separate cistern, the water from which is used for no other purpose, or may be flushed through flushometer valves.

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137. Where "Flushometers" are used, they must be supplied from tank pressure, unless otherwise permitted by the Commissioner of Buildings; the rising lines shall be at least one and one-half inches in diameter, and the main branches shall be at least one and one-quarter inches in diameter, with individual branches not less than one inch in diameter, for water-closets and not less than one-half inch in diameter for urinals. Individual branches shall not exceed twelve inches in length.

138. The overflow of cisterns may discharge into the bowl of the closet, but in no case connect with any part of the drainage system.

139. Iron water-closet and urinal cisterns and automatic water-closet and urinal cisterns are prohibited, unless approved by the Commissioner of Buildings.

140. The copper lining of water-closet and urinal cisterns must not be lighter than ten (10) ounce copper.

141. Water-closet flush pipes must not be less than one and one-fourth inches and urinal flush pipes one (1) inch in diameter, and if of lead must not weigh less than two and one-half pounds and two pounds per linear foot. Flush couplings must be of full size of the pipe.

142. Rubber connections and elbows are not permitted on flush pipes.

143. Latrines, trough water-closets and similar appliances may be used only on written permit from the Commissioner of Buildings, and must be set and arranged as may be required by the terms of the permit.

144. All urinals must be constructed of materials impervious to moisture, and that will not corrode under the action of urine. The floor and wall of the urinal apartments must be lined with similar non-absorbent and non-corrosive material.

145. The platforms of treads of urinal stalls must never be connected independently to the plumbing system, nor can they be connected to any safe waste pipe.

146. Iron trough water-closets and trough urinals must be enameled or galvanized.

147. In all houses, sinks must be entirely open, on iron legs or brackets without any inclosing woodwork.

148. Wooden wash tubs are prohibited, except when used in hotels, restaurants or bottling establishments for washing dishes or bottles. Cement or artificial stone tubs will not be permitted unless approved by the Commissioner of Buildings.

Water Supply for Fixtures.

149. All water-closets and other plumbing fixtures must be provided with a sufficient supply of water for flushing to keep them in a proper and cleanly condition.

Flush tanks must have a capacity of eight gallons for water-closets and five gallons for urinals.

150. House service pipes must be connected to the street mains by means of taps, and a stop-cock or valve placed under the sidewalk at the curb, in compliance with the rules and under the supervision of the Department of Water Supply, Gas and Electricity.

151. A separate stop or valve must be placed upon the service pipe inside the front wall.

152. The diameters of street service pipes must not be less than three-quarter inch for dwellings and tenements occupied by six families or less; one inch for tenements and one and one-half inch for hotels, factories and other miscellaneous buildings, provided that in no case can the diameter of the service pipes be less than the diameter of the tap installed under the supervision of the Department of Water Supply, Gas and Electricity.

Riser Lines.

153. The diameter of all riser lines in plumbing systems shall be not less than three-quarters ($\frac{3}{4}$) inches; except that when lead or brass pipe is used, the minimum diameter may be one-half ($\frac{1}{2}$) inch.

Separate stop-cocks or valves, so located as to be accessible at all times, shall be placed at the foot of each riser line and, in all buildings other than residence buildings occupied exclusively by one or two families or having not more than fifteen sleeping rooms, on each branch line from the riser for each isolated fixture or each group of fixtures, such as bathroom fixtures, kitchen fixtures, etc.; except that only one stop cock or valve shall be required for the fixtures contained in any one apartment, suite, store or loft occupied by one tenant when all the fixtures contained in each such apartment, suite, store or loft are supplied from one branch line.

154. Diameters of branches to any fixtures must not be less than one-half inch, except when used to supply water-closets, cisterns or laboratories. When the material used is lead or brass pipe, the minimum diameter may be three-eighths inch. Branches for flush valves for water-closets must not be less than one and one-quarter inch in diameter and for urinals not less than three-quarters of an inch in diameter.

155. Where a hot water supply system is installed, the distance between the hot and cold water risers should not be less than six inches. Where it is impossible to place them six inches or more apart, the hot water riser must be covered with an approved insulating material and a method of circulation provided that will insure a prompt delivery of hot water at the faucet when required.

All hot water systems in buildings of more than four stories in height shall be of an approved circulating type. In buildings of four stories or less where the developed length of hot water piping exceeds 100 feet from the boiler to the fixture, an approved circulating system shall be installed.

(In connection with this amendment adopted November 12, 1931, all present installations where complying with the current rules may be maintained until April 1, 1933, with the proviso that should the Commissioner of the Department of Water Supply, Gas & Electricity deem an emergency exists the rule shall become effective on thirty days' notice of such emergency to the Commissioner of Buildings).

156. All risers and branches must be properly fastened.

157. When the water pressure is not sufficient to supply freely and continuously all fixtures, a house supply tank must be provided of sufficient size to afford an ample supply of water to all fixtures at all times. Such tanks must be supplied from the pressure or by power pumps, as may be necessary; when from the pressure, ball cocks must be provided.

158. House supply tanks must be metal-covered so as to exclude dust and so located as to prevent water contamination by gas and odors from plumbing fixtures.

159. House supply tanks must be of wood or iron, or of wood lined with tinned and planished copper.

160. House tanks must be supported on iron beams.

161. The overflow pipe should discharge upon the roof, where possible, and in such cases should be brought down to within six (6) inches of the roof, or it must be trapped and discharged over an open and water-supplied sink not in the same room, nor over three and one-half feet above the floor. In no case shall the overflow be connected with any part of the plumbing system.

162. Emptying pipes for such tanks must be provided and be discharged in the manner required for overflow pipes, and may be branched into overflow pipes. Emptying pipes for tanks containing more than five hundred (500) gallons must be four (4) inches in diameter and provided with a valve of same size fitted with a wheel or lever handle.

163. Acid wastes must be "B" lead pipe or earthen pipe; if of lead pipe they must be at least two inches in diameter, and if of earthen pipe at least three inches in diameter and continued down to the lower story of building and

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so arranged as to discharge into a lime box and diluting sink properly trapped and vented and connected inside of house trap. If the lime box and diluting sink are not used the acid waste must be extended to an earthen house sewer or separately and independently connected to a public or private sewer in street and provided with an accessible running trap located just inside of front wall of building. All branches and joints on lead acid wastes must be made by means of burnt lead joints. If earthenware pipe is used, vertical joints must be made with a mixture of asphaltum and cement. Each length of pipe on vertical runs and on horizontal runs when above the cellar floor must be supported at each hub by proper supports. All floor drains and fixture connections must be trapped and run as direct as possible.

Sewage Lifts.

164. When it is necessary to use a sump system and sewage lift to receive the discharge from the waste or soil connection to fixtures, same shall be arranged to be accessible. If discharged with compressed air it shall be connected to the house drain on the sewer side of all leader or area drain traps and fixture connections or may be connected to house drain on the sewer side of house trap. A separate trap and fresh air inlet must be provided on the inlet side of sump and a 4-inch pipe line continued from drain discharging into sump up to and above roof, for purposes of ventilation. Relief pipes must be provided on sewage receptacles of sumps. Traps of fixtures connected to sump systems must not be vented to vent lines which are used to ventilate traps of fixtures on gravity system. Sump systems should be entirely separate both as to discharge and venting from rest of plumbing system in buildings.

Oil Separators.

165. Oil separators installed in any building where volatile fluids are used must be arranged to be readily accessible. They must not receive the discharge of any water-closet, rain leader, yard, court or area drain.

166. They must, if discharged by gravity, be connected by a Y branch fitting to the house drain behind the house trap in such a manner that they will not interfere with the house drain and the rest of the plumbing and drainage system. When mechanical force is used to discharge the contents, the connection must be made by a Y branch fitting on the sewer side of house trap.

167. No separate running trap need be provided on the drain entering oil separators, but a separate fresh air inlet and vent line must be provided to keep the system of drainage controlled by the oil separator entirely separate from the rest of plumbing and drainage system.

168. The size of fresh air inlet shall be determined by the size of inlet connection to oil separator, which shall be considered the same as the term house-drain for determining the size of all fresh air inlets, which shall conform to the same requirements as regards size and arrangement of terminals for fresh air inlets as called for in regulations.

169. Vent lines shall conform in all respects to vent lines for plumbing fixtures as regards size and arrangement.

170. Relief pipes must be provided at least 1½ inches in diameter. They may be connected to a vent line when installed as a separate system or must be carried independently above the roof.

Testing the Plumbing System.

171. The entire plumbing and drainage system within the building must be tested by the plumber, in the presence of a Plumbing Inspector, under a water test. All pipes must remain uncovered in every part until they have successfully passed the test. The plumber must securely close all openings, as directed by the Inspector of Plumbing. The use of wooden plugs for this purpose is prohibited.

172. The water test will be applied by closing the lower end of the main house drain and filling the pipes to the highest opening above the roof with water. The water test shall include at one time the house drain and branches, all vertical and horizontal soil, waste and vent and leader lines and all branches therefrom to a point above the surface of the finished floor and beyond the finished face of walls and partitions. If the drain or any part of the system is to be tested separately, there must be a head of water at least six (6) feet above all parts of the work so tested, and special provision must be made for including all joints and connections in at least one test.

173. After the completion of the plumbing work in any new or altered building and before the building is occupied, a final smoke test must be applied in the presence of a Plumbing Inspector. Except that for a building not over six stories in height, a peppermint test may be applied.

174. The material and labor for the test must be furnished by the plumber. When the peppermint test is used, two ounces of oil of peppermint must be provided for each line up to five stories and cellar in height and an additional ounce of oil of peppermint must be provided for each line when lines are more than five stories in height.

Plumbing in Tenement Houses.

175. All sections or parts of sections of the tenement house law relating to plumbing and drainage of tenement houses are to be observed, and are hereby made a part of these rules and regulations.

Gas Piping and Fixtures.

176. Hereafter the gas piping and fixtures in all new buildings and all alterations and extensions made to the gas piping or fixtures in old buildings must be done in accordance with the following rules, which are made in accordance with the provisions of section 89 of the Building Code.

For additional requirements of public buildings, theatres and places of assemblage, see Part XXI of the Building Code.

177. Before the construction or alteration of any gas piping in any building or part of any building, a permit must be obtained from the Commissioner of Buildings. This permit will be issued only to a registered plumber. Small alterations may be made by notifying the Department of Buildings, using the same blank forms provided for alterations and repairs to plumbing.

178. All gas pipe shall be of the best quality wrought iron or steel and of the kind classed as standard pipe, and shall weigh according to the following scale:

Diameters	Weights per Linear Foot
⅜ inch	0.56 pound
½ inch	0.85 pound
¾ inch	1.12 pound
1 inch	1.67 pound
1¼ inch	2.24 pounds
1½ inch	2.68 pounds
2 inch	3.61 pounds
2½ inch	5.75 pounds
3 inch	7.54 pounds
3½ inch	9.00 pounds
4 inch	10.66 pounds

No pipe allowed of less than ⅜ inch in diameter.

179. All fittings (except stop-cocks or valves) shall be of malleable iron.

180. There shall be a heavy brass straightway cock or

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valve on the service pipe immediately inside the front foundation wall. Iron cocks or valves are not permitted.

181. Where it is not impracticable so to do, all risers shall be left not more than five feet from front wall.

182. No pipe shall be laid so as to support any weight (except fixtures) or be subjected to any strain whatsoever. All pipe shall be properly laid and fastened to prevent becoming trapped, and shall be laid, when practicable, above timbers or beams instead of beneath them. Where running lines or branches cross beams, they must do so within thirty-six inches of the end of the beams, and in no case shall the said pipes be let into the beams more than two inches in depth. Any pipe laid in a cold or damp place shall be properly dripped, protected and painted with two coats of red lead and boiled oil or tarred.

183. No gas pipe shall be laid in cement or concrete unless the pipe or channel in which it is placed is well covered with tar.

184. All drops must be set plumb and securely fastened, each one having at least one solid strap. Drops and outlets less than $\frac{3}{4}$ of an inch in diameter shall not be left more than one inch below plastering, centrepieces or woodwork.

185. All outlets and risers shall be left capped until covered by fixtures.

186. No unions or running threads shall be permitted. Where necessary to cut out to repair leaks or make extensions, pipe shall be again put together with right and left couplings.

187. No gasfitters' cement shall be used, except in putting fixtures together.

188. All gas brackets and fixtures shall be placed so that the burners of same are not less than three feet below any ceiling or woodwork, unless the same is properly protected by a shield, in which case the distance shall not be less than eighteen inches.

No swinging or folding gas brackets shall be placed against any stud partition or woodwork.

No gas brackets on any lath and plaster partition or woodwork shall be less than five inches in length, measured from the burner to the plaster surface or woodwork.

Gas lights placed near window curtains or any other combustible material shall be protected by a proper shield.

189. Gas outlets for burners shall not be placed under tanks, back of doors or within four feet of any meter.

190. All buildings shall be piped according to the following scale:

Diameter	Length	Burners
$\frac{3}{8}$ inch	26 feet	3
$\frac{1}{2}$ inch	36 feet	6
$\frac{3}{4}$ inch	60 feet	20
1 inch	80 feet	35
$1\frac{1}{4}$ inch	110 feet	60
$1\frac{1}{2}$ inch	150 feet	100
2 inch	200 feet	200
$2\frac{1}{2}$ inch	300 feet	300
3 inch	450 feet	450
$3\frac{1}{2}$ inch	500 feet	600
4 inch	600 feet	750

191. Outlets for gas ranges shall have a diameter not less than required for six burners, and all gas ranges and heaters shall have a straightway cock on service pipe.

192. When brass piping is used on the outside of plastering or woodwork, it shall be classed as fixtures.

193. All brass tubing used for arms and stems of fixtures shall be at least No. 18 standard gauge and full size outside so as to cut a full thread.

All threads on brass pipe shall screw in at least $\frac{5}{16}$ of an inch. All rope or square tubing shall be brazed or

soldered into fittings and distributors, or have a nipple brazed into the tubing.

194. All cast fittings, such as cocks, swing joints, double centres, nozzles, etc., shall be extra heavy brass. The plugs of all cocks must be ground to a smooth and true surface for their entire length, be free from sandholes, have less than $\frac{3}{4}$ of an inch bearing (except in cases of special design), have two flat sides on the end for the washer, and have two nuts instead of a tail screw. All stop pins to keys or cocks shall be screwed into place.

195. After all piping is fitted and fastened and all outlets capped up, there must be applied by the plumber, in the presence of an inspector of the Department of Buildings, a test with air to a pressure equal to a column of mercury 6 inches in height, and the same to stand for five minutes; only mercury gauge shall be used. No piping shall be covered up, nor shall any fixture, gas heater or range be connected thereto until a card showing the approval of this test has been issued by the Commissioner of Buildings.

196. No meter will be set by any gas company until a certificate is filed with them from the Department of Buildings certifying that the gas pipes and fixtures comply with the foregoing rules.

Modifications.

197. When for any reason it may be impracticable to comply strictly with the foregoing rules, the Commissioner of Buildings shall have power to modify their provisions so that the spirit and substance thereof shall be complied with such modifications shall be indorsed upon the permit over the signature of the Commissioner of Buildings.

METHOD FOR TESTS FOR ANTI-SIPHON TRAPS OR FIXTURES.

Adopted by the Board of Standards and Appeals.
February 11, 1919.

Resolved, that the following be and it hereby is adopted by the board of standards and appeals as the method prescribed for tests for anti-siphon traps or fixtures, which must be successfully passed before such traps or fixtures shall be approved under Rule 99, Rules for Plumbing and Drainage:

Instructions.

1. The entire cost and responsibility for the installation of the necessary equipment for such test shall be borne by the person or firm submitting the appliance.

2. Such person or firm shall also furnish the board, together with the application for test, the following material and information:

(a) A stock trap of the size and design to be tested, which shall be of the P and S type and shall be of lead or brass, cast in one piece, and without interior partitions or mechanism.

(b) A similar trap cut in half.

(c) A similar trap, to be used in the test, provided with glass observation ports of sufficient size to permit clear observation of the action occurring within the trap during test, and such observation ports shall be so located that the amount of water seal remaining after each test can be readily observed.

(d) An affidavit that the three traps submitted are regular stock traps.

(e) A list of all cities, towns or municipalities where such trap has been officially approved for use without back venting.

The testing apparatus shall be located within the City of New York, and in a place, building or structure to meet the approval of the testing authorities. Such apparatus shall be so located that every part is easily accessible for inspection.

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Apparatus.

The apparatus shall consist of the following:

A tank of not less than fifty nor more than one hundred and fifty gallons capacity, with adequate water supply for refilling the same during the test.

A vertical wrought iron or steel pipe line fifty feet long, connected to the underside of the tank, and of the same internal diameter as the trap to be tested.

A quick-opening valve, located ten feet below the underside of the tank.

A TY fitting located two feet below the quick-opening valve, with horizontal branch pipe connected thereto, of the same diameter as the vertical line, this branch line not to exceed two feet in length, with a pitch towards the vertical line of two inches to the foot, and the trap to be tested shall be connected to this horizontal branch pipe.

A wash basin, or fixture answering the same purpose, which can be conveniently connected or disconnected from the inlet side of the trap.

The test shall be conducted as follows:

For Anti-Siphon Qualities.

For the purpose of determining the efficiency of the trap, the tank shall be completely filled, a water seal established in the trap; and:—

The quick-opening valve shall be opened for five seconds, then closed for five seconds, and this alternating process repeated five times.

The quick-opening valve shall be opened and the entire contents of the tank discharged at one time.

The wash basin shall be connected to the trap, filled with water, and both wash basin and tank discharged simultaneously. The quick-opening valve shall be kept open until the entire contents of the tank has been discharged.

The trap shall be disconnected and a bridge of solid soap formed across the lower half of the discharge end of the trap, so as to effectually block one-half of the clear waterway, and the foregoing tests repeated.

Each operation shall be repeated several times, if desired by the testing authorities.

For Self-Cleansing Qualities.

For the purpose of determining its self-cleansing qualities, the trap shall be filled with sand and the wash basin filled with water and allowed to discharge. A similar operation shall be repeated with tea leaves, coffee grounds, sawdust and grated soap.

For Service Qualities.

The service qualities of the trap may be tested as follows:

A trap which has been in actual constant use for a period of not less than one year shall be removed under the supervision of a representative of the testing authorities, split into two halves, and submitted for inspection, for the purpose of determining whether sediment or coating of grease or other foreign matter has accumulated in the trap during service conditions.

Approval.

An approval shall not be issued for any anti-siphon trap which has been subjected to the foregoing tests unless the trap has:

1. Maintained its water seal throughout the test.
2. Been successfully scoured of any foreign substance placed in the trap, when water has been discharged through same.
3. Upon inspection, after service, shown no excessive accumulation of grease or other foreign substance.

Deep Seal Siphon-Jet Fixtures, or Anti-Siphon Fixtures.

Instructions: Applicants for approval of deep seal siphon-jet or anti-siphon fixtures shall submit the following with their application:—

- (a) A stock fixture of the size and design to be tested.
- (b) A similar fixture, cut in half.
- (c) A similar fixture, to be used in the test, provided with glass observation ports of sufficient size to permit clear observation of the action occurring within the fixture during test, and such observation ports shall be so located that the amount of water seal remaining after each test can be readily observed.
- (d) An affidavit that the three fixtures submitted are regular stock fixtures.

Apparatus.

The apparatus shall be similar to that required for anti-siphon traps, except that vertical and horizontal pipes shall have an internal diameter of three inches for testing slop sinks and four inches for testing water closets; tank shall have a capacity of not less than one hundred gallons and the fixture shall be provided with its usual water supply so that same may be flushed when required.

Test.

For the purpose of determining the efficiency of the fixture to maintain a water seal, it shall be tested in a manner similar to that prescribed for anti-siphon traps, except that no soap bridge need be provided at the outlet.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

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WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, July 17, 1934, at 2 P. M.

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All hearings are held in Room 1013, Municipal Building, Manhattan.

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10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 10, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 17, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman

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Fuel Oil Burners for Industrial Use	July 24, 1934—Vol. 19 No. 30
Fuel Oil Pumps.....	July 24, 1934—Vol. 19 No. 30
Paint, Varnish and Lacquer Spraying Equipment.....	Apr. 17, 1934—Vol. 19 No. 16

COURT DECISIONS.

Eckels v. Murdock. Jan. 13, 1934, Board denied application to reopen and reconsider denial of gas station in business district, under section 21. Cal. No. 758-30-BZ; Premises 1507-1513A Myrtle Ave. and 280 Irving Ave., Brooklyn. Mr. Justice Smith affirmed Referee's report reversing Board. App. Div. modified and affirmed order (N. Y. L. J. July 5, 1934)—making order similar to St. Albans-Springfield decision.

* * *

People ex rel. Arseekay Syndicate, Inc. vs. Connell. March 3, 1931, Board denied application for gas station, partly in business and partly in residence district, under section 21. Cal. No. 632-30-BZ. Permits N. E. cor. Queens Blvd. and Dongan Ave., Elmhurst. Mr. Justice Byrne reversed Board. App. Div. affirmed order modified similarly to St. Albans-Springfield case (N. Y. L. J. March 17, 1934). Court of Appeals reinstated determination of Board, stating: "The Appellate Division modified the order by a direction that when circumstances so change by development of the neighborhood that the property is reasonably susceptible of being applied to a conforming use, then upon the application of the authorities or any one interested, the gasoline station must be removed. We find in the record no valid basis to the relief so awarded. All that appears is that property acquired as a speculation is not presently adaptable to a productive conforming use. The determination of the Board of Standards and Appeals is conclusive in the circumstances. (People ex rel. St. Albans-Springfield Corp. v. Connell, 257 N. Y. 73)." Pound, Ch. J., Crane, Lehman, O'Brien, Hubbs, Crouch and Loughran, J.J. concur. (N. Y. L. J. July 5, 1934.)

ADJOURNMENT.

Notice is hereby given that the next regular meeting of the board of standards and appeals will be held on Tuesday, September 11, 1934, at 10 a. m., and that the next Clerk's Calendar Call will be held on Monday, September 10, 1934, at 2 p. m.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934. AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

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PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the amendment of a resolution adopted by the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1934, 2 P. M.

Appliances Submitted for Approval

156-34-SA—Allen's Siamese Connections for Fire Department use.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

197-34-SA—Biltwell Range Oil Burner, Models B-1 and B-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

73-34-BZ

APPLICANT—Michael Levine, for Karron and Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5 $\frac{3}{8}$ " south of 20th avenue (Block No. 5464, part of Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 19, 1934),

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied.

158-34-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

177-34-BZ

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

PREMISES—South side of Flushing avenue, 106' west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed building for the storage of wagons.

185-34-BZ

APPLICANT—Samuels and Samuels, for Ben H. Sanders and Henry A. Doten, owners.

PREMISES—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

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SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzel, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon*, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ

APPLICANT—Max Klein, for Max Tharler, owner.

PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

CALENDAR

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and

65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS H. MURDOCK, *Chairman*.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, JULY 17, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, July 10, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, July 10, 1934, were approved as printed in the Bulletin, No. 29, Vol. XIX.

BUILDING ZONE CASES.

130-34-BZ.

APPLICANT—Croker Fire Prevention Corp., for John Bertorello, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7b and 21 of the building zone resolution, to permit partly in a retail district and partly in a residence district the change of occupancy of part of an existing building to business use.

PREMISES AFFECTED—52 West 54th street (Block No. 1269, Lot No. 70), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: James A. McCarthy.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(130-34-BZ)

WHEREAS, Croker Fire Prevention Corp., for John Bertorello, owner, filed May 12, 1934, an application under sections 7-b and 21 of the building zone resolution to permit in a retail district and partly in a residence district, the change of occupancy of part of an existing building

to business use; premises: 52 West 54th street (Block No. 1269, Lot No. 70), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 6th avenue is in a retail district; West 54th and West 55th streets are both in residence and business districts; and

WHEREAS, the decision of the commissioner of buildings, rendered May 10, 1934, re Alt. App. 939-1934, reads:

"1. No building within a residence district may be used for business purposes. Article 2, section 3, zone resolution."

and

WHEREAS, the building is of non-fireproof construction, four stories and basement in height, with a frontage of 20 ft. 6 in. and a depth of 58 ft. The west portion of the building extends into the retail district for a distance of three (3) ft.—the remainder is in the residence district. Proposes to occupy the basement and first stories of the existing building for business use and to use the upper stories for residential use; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 130-34-BZ.

Premises: 52 West 54th street (Block No. 1269, Lot No. 70), Borough of Manhattan.

This is an application for a zoning variance to permit the basement and parlor floor of a four-story and basement brown stone house to be used for business purposes. The plot is at 52 West 54th street, with a frontage of 20 ft. 6 in. and a depth of 105 ft. 5 in. of which the building with extension covers 68 ft. The front wall of the building sets back 10 ft. from the street line and the rear yard is 27 ft. deep. The

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westerly 3 ft. of this building is within the area zoned for retail business and the easterly 17 ft. 6 in. is in the residence area. Because of this small distance of 3 ft., the applicant requests under sections 7b and 21 that the variance to permit business for the full width of the plot be granted.

Upon inspection by a committee of the board on July 12, 1934, it was found that both the basement and parlor floors are now occupied as a public restaurant and that the upper three floors are subdivided into apartments, two to a floor or six in all. The building accordingly comes under the classification of a converted dwelling under the Multiple Dwelling Law, but no statement has been made as to whether it complies with the requirements of that law. The restaurant use exists illegally and according to a statement made on the premises to the committee such illegal use has existed for 8 years or more. Inquiry at the department of buildings discloses violation 3063-1933, for converting basement and first story to restaurant in a residence district is pending, but no summons has been issued. No application for a permit for restaurant has been made to the health department and no permit issued; but application 3074 N.Y.R.L., made to the New York City Alcoholic Beverage Control Board, has been transmitted to the New York State Alcoholic Beverage Control Board, where it is now pending and where it is the custom to issue permits if health department permit for restaurant has been issued. There is, however, a small bar on the premises.

The applicant claims that the owner will suffer unnecessary hardship if forced to discontinue the illegal occupancy as the return on the building not occupied by the restaurant is not sufficient to carry the building. It was shown at the hearing that this condition was largely due to the depressed renting situation and that normally apartment rentals of this type would be at considerably higher rates, sufficient with some income from a conforming use of the parlor floor, to carry the property.

The objectors include the Fifth Avenue Association, the Sixth Avenue Association and owners of residential property on the block, namely, West 54th street between Fifth and Sixth avenues. They contend that this block together with the others parallel thereto still zoned for residence use should so continue at least until the Board of Estimate and Apportionment decides to change the zoning and that a special exception should not be granted this single owner for his particular benefit. The owner has carried on an illegal use for years and gained thereby and in the committee's opinion this use should be stopped and the requirements of the zoning resolution lived up to. The relatively small area of this plot zoned for retail business use is not sufficient to warrant the board varying the zoning law to permit business in the larger portion within the residence area. The single existing business use on the block, namely at 31 West 54th street, is apparently a non-conforming use in existence prior to zoning.

In the words of a recent court decision by the Appellate Division: "Present economic conditions, which are practically universal, do not justify a nullification of the zoning laws where the showing is that if nullified by permitting such non-conforming uses as here proposed, the owner can obtain a better return than by a compliance with the zoning law."

The committee finds that no unnecessary hardships or practical difficulties exist to make it impossible to use the entire building for conforming uses and, in the committee's opinion, the building can be so used throughout although perhaps the income might be less for the basement and parlor floor than now received

from the present use. Denial of the application is recommended.

(Signed) HARRIS H. MURDOCK,
Chairman
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends the denial of application; and the board deemed that applicant had not substantiated his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

119-34-BZ.

APPLICANT—Webwill Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Edward Kreeger.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(119-34-BZ)

WHEREAS, Webwill Realty Corporation, owner, filed May 2, 1934, an application under section 21 of the building zone resolution to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises: 23-11 to 23-13 37th avenue (Block No. 346, Lot No. 42), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 37th avenue is in business and unrestricted districts; 23rd street is in an unrestricted district and 24th street is in residence, business and unrestricted districts; and

WHEREAS, the decision of the commissioner of buildings, rendered April 18, 1934, re Cert. of Occupancy, reads:

"Your request of even date, for a certificate of occupancy to use the premises 23-11 to 23-13 37th avenue, Long Island City, as a repair shop for motor vehicles, is denied, inasmuch as the premises are located within a business zone, and section 4-a-29 prohibits such a use within a business district. An appeal from this decision may, however, be made to the Board of Standards and Appeals."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 50 ft. and a depth of 91 ft. 2 in.; proposes to convert the occupancy from a factory to a motor vehicle repair shop; and

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WHEREAS, these premises were inspected by a committee of the board on July 5, 1934, as reported by the chairman at the hearing; and

WHEREAS, the board deems that applicant is entitled to relief under section 21 of the building zone resolution, on the grounds of unnecessary hardship and practical difficulties.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 *for a period of two years* from the date of this action, permitting the building to be used for motor vehicle repairing, *on condition* that repair work carried on shall be of a light nature, mainly with the use of manual tools but permitting grinders and drills, provided no such machine requiring more than a ½ H.P. motor is used; that there shall be no acetylene welding equipment installed or used on the premises; that any paint or paint-spraying carried on shall be strictly in accordance with the rules and regulations applicable thereto and that a permit for such use shall be obtained; that there shall be no anvil, forge or open flame employed on the premises; that there shall be no storage of cars other than those being repaired; that the ceiling shall be fire retarded in accordance with the Rules of the Board of Standards and Appeals.

138-34-BZ.

APPLICANT—William E. Jackson, for Crusader Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), Borough of The Bronx.

APPEARANCES—

For Applicant: William E. Jackson.

For Opposition: G. Dell Olio and M. A. Fantino.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(138-34-BZ)

WHEREAS, William E. Jackson for Crusader Realty Corp., owner, filed May 22, 1934, an application under section 21 of the building zone resolution to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises: northeast corner of Nereid avenue (East 238th street) and Furman avenue (Block No. 5071, Lot No. 3), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, Tuesday, July 17, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Nereid avenue (East 238th street), is in a business district; Furman avenue is in a residence district and White Plains road is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 16, 1934, re Applic. N. B. 45-1934, reads:

"1. Erection of building and maintenance of premises for gasoline service station on plot partly in business district and partly in residence district is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 feet on Nereid avenue (East 238th street), and 118 feet on Furman avenue. The north portion of the plot extends into the residence district for a distance of 18 feet and the remainder of the plot is in the business district. Proposes to erect on the plot a one-story office structure, 25 ft. by 25 ft. in area and install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 138-34-BZ.

Premises: Northeast corner of Nereid avenue and Furman avenue (Block No. 5071, Lot No. 3), Borough of The Bronx.

A zoning variance to permit a gasoline service station is sought for the northeast corner of Nereid avenue and Furman avenue, Borough of the Bronx. The plot has a frontage of 50 feet on Nereid avenue and 118 feet on Furman avenue, and is zoned for business use to a depth of 100 feet from Nereid avenue and the balance of 18 feet northerly is zoned for residence use.

On the plan furnished by the applicant the plot under appeal is marked vacant, but by the photographs filed it is evident that there is a building upon the plot—a one-story garage.

It appears that the owner of this plot has recently acquired it together with lot No. 1 to the east. The former owners, DeSimone and Cristano owned lots No. 1, 2 and 3, the latter being the plot now under appeal, but because of their inability to keep up payment of taxes and interest gave a deed to the two lots, 1 and 3, retaining the middle lot No. 2 on which there is a two-story building used as an automobile repair shop with living quarters above. There appears to be some basis for the existence of a verbal understanding that these two lots would be deeded back upon payment of the amounts due, but if a gasoline station is erected this agreement might not be carried out. The present owner of the plot under appeal desires some use that will repay him the money advanced and points out the conditions in the section which appear to prove that the plot cannot profitably be used in conformance with the zoning. He has filed expressions of opinions from real estate dealers to bear out his contentions.

Adjacent owners object to the proposed use. On the same block front the owner of a five-story apartment house of modern construction objects strenuously to the gasoline station being established practically next door to her apartment house and also states that what the applicant classifies as an outdoor garage on the adjacent lot next north of her apartment house and adjoining her house in which she lives, is not a parking plot for which rents are charged, but is leased by her for the free accommodation of her tenants' automobiles.

The owner of the vacant lot diagonally opposite the plot under appeal objects to the proposed non-conforming use as he is holding his property for development and has relied on the zoning to protect his investment which he claims will be seriously affected if a gasoline station is established opposite.

An inspection by a committee of the board on July 12, 1934, clearly indicates that this section is in the

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process of development; that the new bridge across the tracks is destined to make Nereid avenue an important cross town thoroughfare; that the subway yards to the north will have apparently little effect on the growth of this area as they are far enough removed and are not objectionable. Temporarily this section is suffering, like others, with low rents, but the apartments are apparently occupied and there are almost no store vacancies. A gasoline station, however attractively arranged and designed, as the applicant proposes, will still be a gasoline station with its attendant fumes, glaring lights and noise, causing a depreciating effect on the surrounding property. Those who have improved their properties in reliance upon the protection of the zoning safeguards should not be penalized by a non-conforming variance which would prove a benefit to one owner only at the expense of others. Nothing is disclosed on the plan submitted to indicate that the proposed station would be the high-class development that the applicant claims. The layout is the usual gasoline station with a small office structure, open grease pits, gasoline pumps close to the adjoining lot line and wide driveways across the sidewalks with no protection indicated for the public.

The committee can find no justification for the claim that this is a poor section and undesirable for residential use. Temporarily development is retarded. That condition exists everywhere, but in the committee's opinion, with the admitted importance of Nereid avenue, this section is very desirable and will readily build up as soon as conditions improve and mortgage money becomes available. Even though the cost of carrying may be burdensome upon this owner as it is upon many others similarly situated, the committee recommends that the application be denied. No proof of unnecessary hardship has been shown to justify the variance. The committee finds no proof that the property cannot be developed, as soon as better conditions return, with a conforming use like the existing neighboring buildings. Under present economic conditions, the zoning laws should not be nullified by permitting one owner to gain at the expense of others who have invested in full reliance upon the protection of the zoning.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends that the application be denied; and the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

533-32-BZ.

APPLICANT—Samuel Rosenblum, for Carl E. Anderson and Johanna Anderson, owners.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Westchester avenue and Hobart avenue (Block No. 4195, Lot Nos. 1 and 4), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(533-32-BZ)

WHEREAS, this application affecting premises northwest corner of Westchester avenue and Hobart avenue (Block No. 4195, Lot Nos. 1 and 4), Borough of The Bronx, was granted by the board at its meeting, February 28, 1933, on certain conditions, and time extended September 19, 1933, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on February 28, 1933, as amended September 19, 1933, be and it hereby is *amended* so that such accessory buildings as are erected shall be located toward the northerly portion of the premises and shall be constructed of brick and shall not exceed one story in height, harmonizing in design and material with the wall; that the roof framing, roof boardings, doors and windows may be of wood, provided the roof weather surfacing is of incombustible materials and the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be a reinforced concrete curb constructed along Westchester avenue street building line at least 12 inches in width and not less than 6 inches in height with rounded top and with not over two openings therein, each opening not to exceed 25 feet in width and with curb cuts opposite, not exceeding 30 feet in width; that, in view of statement by applicant that plans have been approved and permits obtained, all work shall be completed within six months from the date of this amended resolution and that other than as amended herein the resolution adopted by the board on February 28, 1933, shall be complied with in all respects.

595-30-BZ.

APPLICANT—Evers and Evers, for Diamond Evangelista, owner.

SUBJECT—Application for reopening—amendment and extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas J. Evers.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4

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Negative 0
Absent 0

THE RESOLUTION—

(595-30-BZ)

WHEREAS, this application affecting premises 2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Borough of Brooklyn, was granted by the board November 8, 1933, on certain conditions, amended January 23, 1934 and April 24, 1934, and applicant requests a further amendment of the resolution.

Resolved, that the resolution of the Board adopted on November 8, 1933, as amended January 23, 1934 and April 24, 1934, be and it hereby is further *amended* to require that there shall be erected along the street building line of Coney Island avenue a reinforced concrete curb not less than 12 inches in width and not less than 6 inches in height with rounded top; that there shall be not over three openings therein, no opening to exceed 25 feet in width and no part of any opening nearer than 10 feet to the corner formed by the intersection of Coney Island avenue and Avenue V nor within 5 feet of the northern line of the plot under appeal, with curb cuts opposite openings not over 30 feet in width; that all permits shall be obtained within three months and all work completed within nine months from the dates of this amended resolution; that other than as amended herein, the resolution adopted by the board on November 8, 1933, as amended January 23, 1934 and April 24, 1934, shall be complied with in all respects.

317-33-BZ.

APPLICANT—Conroy and Hardy, for Dickel Construction Co., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(317-33-BZ)

WHEREAS, this application, affecting premises southeast corner of 89th avenue and Jamaica avenue (Block No. 742, Lot No. 1), Jamaica, Borough of Queens, was granted by the board March 6, 1934, on certain conditions, and owner through his attorneys requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on March 6, 1934, be and it hereby is *amended*, permitting one opening, where indicated, from 89th avenue, not over 20 ft. in width, with curb cut opposite not over 25 ft. in width, permitting the wall on street building line to

be constructed 6 ft. in height continuously (where not incorporated in walls of accessory buildings) along the northerly interior lot line to 89th avenue and thence along 89th avenue to a point within 3 ft. of the opening herein permitted to 89th avenue, thence at a height of 3 ft. to said opening, *on condition* that this wall shall be constructed of face brick, both sides, and suitably coped with stone or terra cotta; that the wall from the opening on 89th avenue to the intersection of 89th avenue and Jamaica avenue and thence to a point within 10 ft. of the westernmost opening from Jamaica avenue shall be similarly constructed and as indicated on plan, not less than 3 ft. in height; that other than as amended herein the resolution adopted by the board on March 6, 1934, shall be complied with in all respects.

618-29-BZ.

APPLICANT—Conroy and Hardy, for Trojan Holding Co., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—651-661 New York avenue, northeast corner of Hawthorne street (Block No. 4815, Lot Nos. 1 and 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(618-29-BZ)

WHEREAS, this application affecting premises 651-661 New York avenue northeast corner of Hawthorne street (Block No. 4815, Lot Nos. 1 and 64), Borough of Brooklyn, was granted by the board May 16, 1933, and amended December 5, 1933 and May 22, 1934, extending time, and applicant requests a further amendment.

Resolved, that the resolution adopted by the board on May 16, 1933, amended December 5, 1933 and May 22, 1934, be and it hereby is further *amended* by adding thereto the provision that the roof construction of accessory buildings where required to be of fireproof construction may be of incombustible construction consisting of junior beams and gyp steel planks not less than two inches in thickness, surfaced with plastic slate or rubberoid or equivalent incombustible material; that other than as amended herein the resolution adopted by the board on May 16, 1933, amended December 5, 1933 and May 22, 1934, shall be complied with in all respects.

617-24-BZ.

APPLICANT—Walter Pfaendler, for M. H. S. Realty Corp., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 7c of the building zone resolution, permitting the alteration and conver-

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sion of occupancy of building used as a factory, stable and garage, located partly in a business district and partly in an unrestricted district, to a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-57 Third avenue, southeast corner of Atlantic avenue (Block No. 186, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Walter Pfaendler.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(617-24-BZ)

WHEREAS, this application, affecting premises 41-57 Third avenue, southeast corner of Atlantic avenue (Block No. 186, Lot No. 1), Borough of Brooklyn, was granted by the board at its meeting May 5, 1925, on certain conditions, amended November 14, 1933, and owner requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board on May 5, 1925, as amended November 14, 1933, as far as it has reference to the entrance to the boiler room, so that as amended this portion of the resolution shall read:

"That the boiler room located in the cellar near the corner of Atlantic and Third avenues shall be entirely separated from the balance of the building with fireproof materials and enterable only from the exterior by means of a new stairway to be erected from Third avenue at a point approximately 60 ft. southerly from the intersection of Third avenue and Atlantic avenue, as indicated on revised plan marked 'Received July 11, 1934'; that this stairway and passage therefrom to the boiler room shall be enclosed in fireproof walls and separated from the balance of the building by fireproof construction; that the resolution also be *amended* to permit the installation of a show window as indicated on plan marked 'Received July 11, 1934' between Third avenue store and gasoline selling area, *on condition* that the frame and sash shall be of steel, glazed with polished plate wire glass, with no pane over four square feet in area, and with no transome or other openings to the gas-selling area, and that the stool and the wall under the show window and all other enclosures shall be constructed of fireproof materials; that other than as amended herein the resolution adopted by the board on May 5, 1925, as amended November 14, 1933, shall be complied with in all respects."

241-33-BZ.

APPLICANT—Lama and Proskauer, for Fourth Avenue and 33rd Street Realty, Inc., present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting, partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station and automobile salesroom.

PREMISES AFFECTED—875-881 Fourth avenue, northeast corner of 33rd street (Block No. 681, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(241-33-BZ)

WHEREAS, this application, affecting premises 875-881 Fourth avenue, northeast corner of 33rd street (Block No. 681, part of Lot No. 1), Borough of Brooklyn, was granted by the board December 5, 1933, on certain conditions, amended February 23, 1934, approving plans, and present owner requested an amendment of the resolution and of the dimensions of the plot which is to be reduced in area to 100 ft. by 75 ft.

Resolved, that the resolution adopted by the board on December 5, 1933, as modified by resolution approving plans adopted on February 23, 1934, be and it hereby is *amended* so that as amended the dimensions of the property shall not exceed a frontage of 100 feet on Fourth avenue and a depth of 75 feet on 33rd street, and located entirely in the business district, to be used for a gasoline service station and accessory uses, *on condition* that the buildings shall be constructed and arranged substantially as indicated on revised plans marked "Received July 2, 1934" and shall not exceed one story in height and shall be constructed of brick and incombustible materials; that there shall be no openings in the walls of the building to the adjoining premises east or south on 33rd street and where not covered by accessory buildings there shall be constructed along the interior lot lines and along the street line of 33d street a brick wall not less than 10 feet in height, faced with face brick on the interior surfaces and on the exterior along 33d street; that this wall may be racked back at the rate of 1 foot in 4 from Fourth avenue, starting with a wall 4 feet in height; that this wall shall be suitably coped with stone or terra cotta; that for the protection of pedestrians and to prevent illegal uses of the sidewalk there shall be erected along the Fourth avenue street building line a reinforced concrete curb at least 12 inches in width and 6 inches in height with rounded top with not over two openings therein, each opening not to exceed 25 feet in width and no part of any opening nearer than 10 feet from the intersection of Fourth avenue and 33d street, nor 10 feet from the intersection of the northerly interior lot line; that the street curbs opposite these openings shall not exceed 30 feet in width; that gasoline pumps erected shall be at least 10 feet removed from lot lines or any portion of an accessory building; that the premises where not occupied by accessory buildings shall be cement paved; that testing and minor repairs may be done on the premises, provided such work is done by manual tools only, but no repair shop maintained; that there shall be no excavations under any of the buildings except pits for the greasing racks; that there shall be no open flame permitted on the premises; that there shall be no portable gasoline tanks used on or from the premises; that any signs advertising non-conforming uses shall be limited to the illuminated globes of the gasoline pumps, excluding temporary signs of every nature, but permitting signs on show windows of the automobile showroom acces-

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sory building and permanent flat signs attached to the office accessory building, excluding all roof signs; that no cars shall be parked or stored on the premises other than those being serviced and those offered for sale in the automobile showroom accessory building; that complete working drawings shall be submitted to the board and approved by the chairman in behalf of the board before same are submitted to the commissioner of buildings; that all permits shall be obtained within three months and all work completed within nine months from the date of this resolution.

524-31-BZ.

APPLICANT—J. Nelson Cooper, for President and Fellows of Harvard College, owner.

SUBJECT—Application for rescindment of board's action of April 17, 1934 (reopening); and further application for reopening for extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building for retail store purposes.

PREMISES AFFECTED—2332-2340 Grand Concourse and Boulevard, 2331-2345 Ryer avenue and 244 Field place (Block No. 3159, Lot Nos. 13, 14, 15, 19 and 23), Borough of The Bronx.

APPEARANCES—

For Applicant: J. Nelson Cooper.

ACTION OF BOARD—Action of April 17, 1934 rescinded; application reopened and time extended.

THE VOTE TO RESCIND ACTION OF BOARD OF APRIL 17, 1934—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(524-31-BZ)

WHEREAS, this application, affecting premises 2332-2340 Grand Concourse and Boulevard, 2331-2345 Ryer avenue and 244 Field place (Block No. 3159, Lot Nos. 13, 14, 15, 19 and 23), Borough of The Bronx, was granted by the board January 26, 1932, on certain conditions, and amended July 5, 1933 and December 27, 1933, extending time, and owner requests a further amendment; and

WHEREAS, it appears that a request for reopening of this application for a change of use had been made without the owner's consent and the case reopened April 17, 1934, and the board deemed that the reopening should be rescinded.

Resolved, that the action of the board of April 17, 1934, be and hereby is rescinded;

Resolved, further, that the resolution adopted by the board on January 26, 1932, be and it hereby is amended to extend the time within which to obtain permits six months from the date of this action, in view of statement by applicant that preliminary plans have been filed for approval with the commissioner of buildings; and that all work shall be completed within one year from the date of

this action; that other than as amended herein the resolution adopted by the board on January 26, 1932, shall be complied with in all respects.

PETITION FOR VARIATION.

1237-22-S.

PETITIONER—Brown, Wheelock, Harris & Co., Inc., for Sarah F. Rainey and Central Hanover Bank & Trust Co., as surviving trustees of the Joseph T. Tower Estate Trust, owner.

SUBJECT—Application for reopening—amendment—re Petition for variation of the labor law as cited in orders of the fire commissioner.

PREMISES AFFECTED—542-544 Fifth avenue (Block No. 1260, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Petitioner: Erwin Rebafka.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(1237-22-S)

WHEREAS, this petition, affecting premises 542-544 Fifth avenue (Block No. 1260, Lot No. 40), Borough of Manhattan, was granted by the board December 29, 1922, on certain conditions, amended October 10, 1933, and owner requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on December 29, 1922, as amended October 10, 1933, so that as amended the resolution shall read as follows:

"That there shall be no factory use above the street floor; that factory work may be carried on in the cellar, on condition that there shall be not over twelve (12) persons employed therein at factory work; that such factory work, consisting only of busheling and altering of clothing and printing incident to the tenant's use, shall be restricted to the cellar; that there shall be two means of exit, complying with the requirements of the Labor Law, leading through fireproof hallways directly from the cellar to the street; that such means of exit shall be remote from each other; that mechanical ventilation shall be installed in the cellar as required under the Labor Law and Building Code, providing not less than four changes of air per hour during working hours; that the cellar otherwise shall comply with the requirements of the Labor Law; that such accessory fire appliances shall be installed as the commissioner may direct; that the space to be occupied for factory work shall be limited in area to that space marked 'work space' on plans marked 'Received July 13, 1934'; and such space shall be separated by fireproof partitions from all other parts of the cellar not occupied by this tenant; that this variance shall continue only so long as tenant, Wallach's, Inc., occupies the cellar and street floor."

APPLIANCES SUBMITTED FOR APPROVAL.

205-34-SA.

PETITIONER—Henry L. Connell, for Pacent Engineering Corp., agent for Firetox System, Inc., owner.

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SUBJECT—Automatic Firetox Extinguisher, approval of.
APPEARANCES—

For Petitioner: Henry L. Connell.

ACTION OF BOARD—Petition placed on reserve calendar, subject to test and report by engineer of the board.

918-22-SA.

PETITIONER—Williams Oil-O-Matic Heating Corp., owner.

SUBJECT—Williams Oil-O-Matic Fuel Oil Burner—Application for reopening—Amendment.

APPEARANCES—

For Petitioner: Frank Brown.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(918-22-SA)

WHEREAS, the Fuel Oil Burner Corporation filed July 10, 1922, a petition with the Board of Standards and Appeals for approval of their device known as the Williams Oil-O-Matic Fuel Oil Burner; and

WHEREAS, this burner was approved by the board July 15, 1924, for general installation, and various models of this burner have been incorporated in this approval from time to time; and

WHEREAS, the present applicant, the Williams Oil-O-Matic Heating Corporation has requested approval of their model for use in cooking ranges with standard equipment and also including the water heater models.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of the board adopted on July 15, 1924, as amended by resolution adopted June 23, 1931, so that as amended the resolution shall read:

"That the Board of Standards and Appeals does hereby approve the device known as the Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB and R, and water heater models for use with fuel oil not heavier than No. 4, in all types of installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals."

345-31-SA.

PETITIONER—The Silent Glow Oil Burner Corporation, owner.

SUBJECT—Silent Glow Oil Burner Model 1000—Amendment to include approval of Models 800, 1800 and 2800.

APPEARANCES—

For Petitioner: Irving T. Hecht.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and bureau of combustibles of the fire department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(345-31-SA)

WHEREAS, Silent Glow Oil Burner Corp., owner, filed July 7, 1931, a petition with the Board of Standards and Appeals for approval of device known as the Silent Glow Oil Burner, Model 1000; and

WHEREAS, the device was approved by the board November 10, 1931, after inspection and test; and

WHEREAS, the owner, through his agent, Irving T. Hecht, requested an amendment of the resolution to include the approval of Models 800, 1800 and 2800; and

WHEREAS, these devices were the subject of an inspection and test, the report of which was substantially as follows:

These burners are constructed substantially the same as the Model 1000, formerly approved under Cal. 345-31-SA.

Model No. 2800 consists of a Century 1/5 H.P. Detroit motor, regulating and shut off valve, Cuno strainer, Webster transformer, Sirocco type blower, 7 in. x 4 in. and a Tuthill pump. This burner has a capacity of 3 to 9 gallons of oil per hour.

Model No. 1800 differs only from the above and Model 1000 in that it has a 1/6 H.P. motor and a fan 6 5/8 in. x 3 7/8 in. and an oil consumption of two to six gallons per hour.

Model No. 800 differs only from the original in that it has a 1/10 H.P. Ohio motor and a fan 4 7/8 in. x 2 3/8 in. with an oil consumption 1.35 to 2 1/2 gallons per hour.

Monarch nozzles are used on all above described burners.

Controls—The above burners have the Minneapolis-Honeywell Protecto-relay Model 117-3 and the Pressuretrol Type L-404-2.

The Silent Glow Oil Burner, Models 800, 1800 and 2800 have been approved by the Underwriters Laboratories for oil not heavier than No. 3, Guide No. 300-10.4, File MP-567.

The undersigned recommends that since there has been no structural changes other than in the capacity of the burners, that these three models be approved when installed in accordance with the Oil Burner Rules as per general resolution of the Board of Standards and Appeals of September 16, 1932, which reads as follows:

"Resolved, further, that when models of burner devices of greater or less capacity are made incorporating but slight structural changes in design, these models may be accepted by the administrative official having jurisdiction, as conforming to and covered by the original approval."

Resolved, that the Board of Standards and Appeals does hereby approve the devices known as the Silent Glow Oil Burner, Models 800, 1000, 1800 and 2800 for use in domestic and commercial installations for fuel oil not heavier than No. 3, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

Adjourned, 12:45 P. M.

EDWARD V. BARTON, Chief Clerk.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 17, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

147-34-BZ.

APPLICANT—William J. Boegel, for Clifford Magerle, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing gasoline service station.

PREMISES AFFECTED—Northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: William J. Boegel.

For Opposition: None.

ACTION OF BOARD—Laid over to September 18, 1934, at 2 p. m., for further consideration and report of committee of the board without further argument.

12-32-BZ.

APPLICANT—Falk and Orleans, for George White, owner.

PREMISES AFFECTED—6513-6519 Fifth avenue, northeast corner of 66th street (Block No. 5828, Lot No. 1), Brooklyn.

SUBJECT—Under date of Sept. 23, 1932, the board granted a variance of the Building Zone Resolution to permit a garage for more than 5 motor vehicles at these premises. On March 21, 1933, the board granted an extension of time to complete the work. On May 16, 1933, the board denied an application for modification of conditions imposed in the resolution and also denied the application to permit motor vehicle repairs. A writ of certiorari was taken and the decision of the board, in denying the modification and additional nonconforming use, was sustained by the court.

An application has now been made for a reopening of the case for a similar modification of the original resolution and for the additional nonconforming use on the claim of new facts since the previous determination.

An application for a reopening is not a legal stay unless the application has been legally reopened by a legal vote of the board.

The applicant requested an adjournment so that the application could be heard by full membership of the board, there being only four members now sitting.

APPEARANCES—

For Applicant: Ilo Orleans.

ACTION OF BOARD—Request to reopen laid over to September 18, 1934, at 2 p. m., subject to the above statement.

339-33-BZ.

APPLICANT—Samuels and Samuels, for Otnas Realty, Inc., owner.

SUBJECT—Application for reopening—restoration to calendar, having been previously withdrawn—re Application (decision of the commissioner of buildings) under section 21 of the building zone

resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Archie Samuels.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

816-24-BZ.

APPLICANT—Eugene De Rosa, for Corporation for the National Council of Congregational Churches of the United States, owner.

SUBJECT—Application for reopening—(re decision of the commissioner of buildings) under section 7a of the building zone resolution, to permit in a residence district the restoration of occupancy to a theatre and an increase in area of a building converted to a store use, by a variance granted by the board October 3, 1924.

PREMISES AFFECTED—799-805 Washington avenue (Block No. 1180, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Eugene De Rosa.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

140-34-BZ.

APPLICANT—Matthew W. Del Gaudio, for Carolernesto Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and conversion of occupancy of an existing building to a gasoline service station.

PREMISES AFFECTED—3114 Jerome avenue, southeast corner of East 204th street (Block No. 3321, Lot No. 36), Borough of The Bronx.

APPEARANCES—

For Applicant: Matthew W. Del Gaudio.

For Opposition: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(140-34-BZ)

WHEREAS, Matthew W. DelGaudio, for Carolernesto Realty Co., Inc., owner, filed May 23, 1934, an application under section 21 of the building zone resolution to permit in a business district the alteration and conversion of occupancy of an existing building to a gasoline service station; premises: 3114 Jerome avenue, southeast corner

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of East 204th street (Block No. 3321, Lot No. 36), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, Tuesday, July 17, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jerome avenue is in a business and unrestricted district; Villa avenue is in a residence district and East 204th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 10, 1934, re Applic. Alt. 196-34, reads:

"1. Proposed alteration and conversion of building in business district for use as gasoline service station contrary to provisions of building zone resolution."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 20 ft. on Jerome avenue and 100 ft. on East 204th street, to be occupied as a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 140-34-BZ.

Premises—3114 Jerome avenue, southeast corner 204th street (Block 3321, Lot No. 36), Borough of The Bronx.

The property covered by this application for a zoning variance is at the southeast corner of Jerome avenue and East 204th street, with a frontage on Jerome avenue of 20 feet and on East 204th street of 100 feet. On this plot there was erected in 1927, a one-story taxpayer arranged for division into six small stores. Some of these stores have been occupied at times, but at the present time one story occupying two bays is the only one rented. Except for the depressed condition of real estate, the general conditions in the section are the same as when this owner erected the taxpayer building in 1927. He bought the property in 1925, apparently believing in its speculative value because of the proposal then under consideration to turn the city property on the west side of Jerome avenue into a park. This did not materialize and instead the city uses the land for a storage yard and power station. The elevated structure is along Jerome avenue, but East 204th street is a wide thoroughfare leading to the Grand Concourse two short blocks to the east. The buildings immediately surrounding are old, consisting of frame residence buildings northerly on Jerome avenue (the owners of which protest against this variance being granted) and similar buildings to the south and east. Those adjoining to the east have been relatively recently remodeled and the stores are rented except for one vacancy. Immediately adjoining these premises on Jerome avenue, is a one-story brick building used for automobile repairing and sale of accessories. Further along on Jerome avenue, north and south are a number of garages, all selling gasoline, which have in past years been erected under zoning variances granted by the board. Opposite on East 204th street is a small church and thence east the buildings are more modern and include a number of apartment houses.

The east side of Jerome avenue is zoned for business use; the west side, where the City of New York maintains the storage yard, for unrestricted use and eastwardly the entire section is zoned for residential use. In this area the non-conforming stores are there because of their being in existence prior to the passage of the zoning resolution.

The application is brought under section 21, claiming that hardship exists and it is desired to alter the building into a gasoline selling station. It is proposed to remove the show windows for a distance of 57 feet from Jerome avenue and construct an alcove gasoline station. At the hearing, when it was learned that the board looked with disfavor on that type of station especially when a cellar existed, the applicant offered to fill the cellar under the proposed station and remove the non-fireproof construction, leaving the front wall standing and providing two entrances, one from Jerome avenue and one from East 204th street. This would require placing the pumps against either the street wall or the southerly wall to permit the necessary passage without using the public sidewalk. Generally the board has found that narrow gasoline stations resort to the public sidewalk to supplement their working area, which is not in the public interest.

A committee of the board inspected this site prior to the hearing and on July 12, 1934. It was noted that the present tenant is operating a radiator repair shop with an acetylene welding equipment and the tenant stated that he paid \$40 per month rental and was only one month in arrears. This use is not legal and the use of the welding equipment is considered hazardous. Zoning violation BY 132, July 9, 1932—conducting motor vehicle repair shop without a permit—is pending.

In the opinion of the committee, this building can be used for conforming uses even though temporarily the possible rents may be small. It is quite possible that the owner's difficulty is that he is asking excessive rentals considering the depression conditions and because of his desire to carry the building profitably on the basis of a full return on what appears to be an excessive investment which he states is \$37,000. In the committee's opinion these stores will rent if a reasonable rent is asked. The committee is also of the opinion that the chances are not favorable for profitable operation of the gasoline station as proposed, considering its very restricted area and the difficulty that would be experienced by northerly bound traffic on Jerome avenue entering the station, and in view of the already excessive competition along Jerome avenue, the committee cannot find that there is a real case of unnecessary hardship existing or that public welfare would be conserved by granting this variance and recommends that the applicant withdraw this application without prejudice for reconsideration at a later date for some other use not including the sale of gasoline.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, applicant requested permission to withdraw application.

Resolved, that the application be and it hereby is *withdrawn*.

64-32-BZ.

APPLICANT—Edwin H. Snackenberg, for Anna Weiss, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station (previously denied; reopened for reconsideration under new facts May 1, 1934).

PREMISES AFFECTED—Southwest corner of White Plains avenue and East 223rd street (Block No. 4824, Lot Nos. 1 and 82), Borough of The Bronx.

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APPEARANCES—

For Applicant: Edwin H. Snackenberg and Howard Weiss.

For Opposition: Alfred E. Rocchio (objection withdrawn at hearing).

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(64-32-BZ)

WHEREAS, Edwin H. Snackenberg, for Anna Weiss, owner, filed February 9, 1932, an application under section 21 of the building zone resolution to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises: southwest corner of White Plains avenue and East 223d street (Block No. 4824, Lot Nos. 1 and 82), Borough of The Bronx; and

WHEREAS, this application was denied May 13, 1932 and reopened under new facts May 1, 1934; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that White Plains road is in a business district; East 223d street and East 222nd street are in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 9, 1934, re N. B. 342-32, reads:

"1. Erection of building and occupancy of premises partly in a business district and partly in a residence district for gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 57.1 ft. on White Plains road, 105 ft. on East 223d street and a distance of 114.3 ft. along the west lot line. The west part of the plot extends into the residence district for a distance of five (5) feet—the remainder of the plot is in the business district. On the White Plains road portion of the plot there is located a two-story frame dwelling and store structure and also a one-story frame structure. Said frame structures are to be demolished. On the East 223d street front of the plot there is located a one-story, brick, five car garage which is to remain. It is proposed to erect (to the south of this garage) a two (2) story building, approximately 31 ft. by 60 ft. in area to be used as office and accessory store and also dwelling. It is also proposed to occupy the remainder of the plot, having a frontage of 57.1 ft. on White Plains road and 45.5 ft. on East 223d street as a gasoline service station; and

WHEREAS, the premises under appeal was the subject of inspections by a committee of the board, prior to the reopening of this case, and on June 12, 1934, as reported by the Chairman at the hearing; and

WHEREAS, the board deems that applicant has substantiated his basis of appeal under section 21 of the building zone resolution and is entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that all of the structures other than the existing three-car brick garage shall be entirely removed and the plot levelled substantially to the grade of White Plains road and 223d

street; that there shall be erected, as indicated on plans filed with this appeal marked "Received April 9, 1934" a two-story accessory brick building, the rear and second floor of which shall be arranged for and used for residential occupancy and the front portion of which shall be arranged and used as an office and accessory stores; that there shall be erected on the southerly interior lot line where not occupied by the accessory building, a face brick wall not less than 6 feet in height; that this wall may start at a height of 4 feet from White Plains road and be graduated at a rate of one foot in four to a height of 6 feet; that the gasoline selling area shall be cement paved; that all gasoline pumps erected shall be not nearer than 10 feet to any building line or to any portion of an accessory building; that there shall be two entrances only to this gasoline selling area, one from East 223rd street and one from White Plains road; that these entrances shall not exceed 25 feet in width, with curb cuts opposite not more than 30 feet in width; that on the balance of the street building line of the gasoline selling area, where not occupied by these permitted entrances, there shall be erected concrete curbs not less than 12 in. in width and 6 in. in height with a rounded top; that no part of either entrance shall be nearer than 10 feet from the intersection of White Plains road and 223d street; that there shall be no opening between the first floor space used as office and accessory to the living quarters in the rear; that the ceiling of this space shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no excavation under any of these buildings except for a boiler-room at the rear under the residential portion and that the access to the boiler-room shall be by means of a stairway exiting directly to the outer air and separated by fireproof construction from all other parts of the buildings; that the three-car garage shall be used for that purpose only, except that the easterly end of this three-car garage may be used for a greasing rack and a wash stand, provided there is an unpunctured brick wall constructed from floor to ceiling to separate this portion from the balance of the garage, in which case the opening indicated in the easterly wall of the garage opening into the gasoline station area, may be constructed; and that if a door to this opening is installed, the grease pit area below the floor shall be ventilated by a vapor-proof fan exhausting through a duct leading through the roof, and the ceiling of this accessory building shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that unless so used there shall be no entrance from this garage to the gasoline selling area; that there shall be no automobile repairing carried on in any part of the premises; that signs advertising non-conforming uses shall be limited to the illuminated globes of the gasoline pumps, excluding all temporary signs of every nature; that no portable gasoline pumps shall be used on or from the premises; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

695-29-BZ.

APPLICANT—Louis Curcio, for Hulon Realty Corporation, present owner.

SUBJECT—Application for reopening—extension of permits—re Application (decision of the superintendent of buildings) under section 7f of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Wilkinson avenue and Westchester avenue (Block No. 4235, Lot Nos. 36 and 38), Borough of The Bronx.

APPEARANCES—

For Applicant: Beatrice R. Fliegel and Louis Curcio.

ACTION OF BOARD—Application reopened and permit extended.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(695-29-BZ)

WHEREAS, this application affecting premises southwest corner of Wilkinson and Westchester avenues (Block No. 4235, Lot Nos. 36 and 38), Borough of The Bronx, was granted by the board October 7, 1930, on certain conditions, amended October 22, 1931, April 8, 1932, September 23, 1932 and March 27, 1934, and owner requests a further amendment.

Resolved, that the resolution adopted by the board on October 7, 1930, as amended, be and it hereby is further *amended* to extend the time of the temporary permit, granted under section 7, subdivision f of the building zone resolution, for a period of two years from the date of this amended resolution; and that the resolution as adopted October 7, 1930 and amended by resolution of March 27, 1934, shall be complied with in all other respects than as herein amended.

321-30-BZ.

APPLICANT—Kennedy & Ellner, for Summerville Realty Co., Inc., present owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Union turnpike and Parsons boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Thorn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(321-30-BZ)

WHEREAS, this application affecting premises northwest corner of Union turnpike and Parsons boulevard (Block No. 2434, part of Lot No. 1), Jamaica, Borough of Queens, was granted by the board January 30, 1934, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on January 30, 1934, be and it hereby is *amended* to extend the period of time within which to obtain permits six months and that all work shall be completed within one

year from the date of this amended resolution, *on condition* that other than as amended herein, the resolution adopted by the board on January 30, 1934, shall be complied with in all respects.

APPEALS FROM ADMINISTRATIVE ORDERS.

151-34-A.

APPELLANT—Department of Sanitation, for City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Northwest corner of Cromwell avenue and Scotland avenue (Block No. 3469, Lot No. 1), South Beach, Borough of Richmond.

APPEARANCES—

For Appellant: George Iscol.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

154-34-A.

APPELLANT—Lido Amusement Corporation, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—160 West 146th street (Block No. 2014, Lot No. 38), Borough of Manhattan.

APPEARANCES—

For Appellant: James R. Ashley.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(154-34-A)

WHEREAS, Lido Amusement Corporation, lessee, filed June 6, 1934, an appeal from an order of the fire commissioner affecting premises 160 West 146th street (Block No. 2014, Lot No. 38), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated June 6, 1934, reads:

"In response to your oral request, order numbered 75619-LC, issued against the storage of chlorine gas at above location, reads as follows:

"1. Discontinue the storage of chlorine gas on these premises. Section 214-A-4F, chapter 10, Code of Ordinances."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 550 feet and a depth of 100 feet; OCCUPIED as a swimming pool and ballroom; at the westerly end of the swimming pool there is located a brick and concrete filter structure 30 ft. by 20 ft. in area in which is located a chlorinator and two 150-pound cylinders of chlorine; and

WHEREAS, appellant proposes to erect a small concrete enclosure to contain the tanks; to provide water connections; controlled from the outside, so that this enclosure can be flooded with water in the event of an emergency.

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Resolved, that the order of the fire commisisoner, No. 75619-LC, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the two (2) tanks of chlorine, each tank containing not more than 105 lbs., shall be fully submerged in a tank of water at all times and maintained within a one-story fireproof building not larger than 18 ft. by 30 ft., inside measurement, located toward the easterly side of swimming pool; that there shall be installed on the underside of the roof of this one-story building an open sprinkler head with a control valve on the outside; this sprinkler head to be supplied with water from house supply service through a supply not less than one inch in diameter; that the connection from the chlorine tank to the pool shall be by means of an approved Wallace & Tiernan or other approved inixing valve located not more than two feet from the tank; that the equipment shall at all times be under the supervision of a person holding a Certificate of Fitness for this use; that the regulations applicable thereto shall be complied with in all other respects; that any windows opening from the space where chlorine tanks are located shall have metal frames and shall be glazed with wire glass and be fixed, and that all doors thereto shall be close-fitting.

176-34-A.

APPELLANT—John J. Gilmartin, for 519 Eighth Avenue Corp., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—509-519 Eighth avenue, southwest corner of West 36th street (Block No. 759, Lot No. 45), Borough of Manhattan.

APPEARANCES—

For Appellant: John J. Gilmartin.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(176-34-A)

WHEREAS, John J. Gilmartin, for 519 Eighth Avenue Corporation, owner, filed June 19, 1934, an appeal from an order and a decision of the commissioner of buildings affecting premises 509-519 Eighth avenue, southwest corner of West 36th street (Block No. 759, Lot No. 45), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated April 9, 1934, re Order No. 10970-F, reads:

"1. Replace plate glass with wire glass in windows facing on light court at south side of building, as per section 375, chapter 5, Code of Ordinances."

and

WHEREAS, the decision of the commisisoner of buildings, dated May 31, 1934, reads:

"In reference to your request to rescind Item 1 of Order No. 10970-F, requiring the plain glass in the court windows on south side of above premises be replaced with wire glass in consideration of the sprinkler system provided, you are advised that as the openings in the adjoining building are less than thirty feet from the openings in question, your request must be denied.

If an appeal is to be filed on this item, kindly notify this division and the matter will be held in abeyance pending final decision."

and

WHEREAS, the building, erected in 1925, is fireproof, 24 stories and pent house in height, 118 ft. 3 in. by 120 ft. in area; OCCUPIED: 1st story, stores and offices; upper stories, show rooms and factories, 150 persons per story; EQUIPPED with a standpipe and also a sprinkler system; and

WHEREAS, appellant contends that when the building was erected in 1925, it complied with the requirements of the code as to windows; that in 1925 a 25 story building was erected to the south of the premises in question; that in the south court there is a total of 130 plate glass windows (located throughout the various stories) affected by this order; contends further, that both buildings are equipped with sprinkler systems and that all windows in the adjoining building to the south are fireproof wire glass.

Resolved, that the order of the commissioner of buildings, No. 10970-F, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the windows under appeal either comply or are made to comply with the requirements of the Labor Law applicable at the time the Certificate of Occupancy of this building was issued and prior to construction of adjacent building southerly now less than 30 ft. away; that the sprinkler system and standpipe system shall be maintained in accordance with the Rules of the Board of Standard and Appeals.

188-34-A.

APPELLANT—Isidor J. Rifkin, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—3626-3630 Mermaid avenue and 2901-2911 West 37th street (Block No. 7045, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Alfred Kreech and Abraham N. Horowitz.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(188-34-A)

WHEREAS, Isidor J. Rifkin, owner, filed June 28, 1934, an appeal from an order of the fire commissioner affecting premises 3626-3630 Mermaid avenue and 2901-2911 West 37th street (Block No. 7045, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated June 26, 1934, re Order No. 65057-LC, reads:

"With reference to application dated June 13, 1934, for a permit to store combustible fibre (rags and paper not more than 5 tons) at premises 3626-3630 Mermaid avenue (2901-2911 West 37th street), Borough of Brooklyn, I regret to state that I am without power to grant such a permit for the following reason:

"1. Subdivision 103-C of section 24, chapter 12, Code of Ordinances, New York, states that no permit for the storage of combustible fibre (rags and paper) shall be issued for any building or premises of wooden construction except in sparsely populated districts, where it shall be at the discretion of the fire commissioner.

"You are therefore ordered to reduce the stock of combustible fibre (rags and paper) stored on premises to one ton."

and

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WHEREAS, the premises, located in an unrestricted district consists of a plot of ground having a frontage of 40 ft. on Mermaid avenue and 100 ft. on West 37th street; upon the Mermaid avenue front of the plot there is located a gasoline service station, an auto repair shop and a store; on the remainder of the plot there is located a building approximately 75 ft. by 40 ft. in area, constructed of wood studs covered with No. 20 gauge metal walls with a wood roof; OCCUPIED as a junk shop, rag and paper storage; and

WHEREAS, appellant requests permission to store five (5) tons of combustible fibre; contending that the structure is not a wooden building and that there are an adequate number of sand pails, water buckets and waste cans distributed throughout the premises.

Resolved, that the order No. 65057-LC of the fire commissioner be and it hereby is *affirmed*, and the appeal be and it hereby is *denied*.

189-34-A.

APPELLANT—Rosekay Amusement Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—823 Utica avenue (Block No. 4676, Lot No. 57), Borough of Brooklyn.

APPEARANCES—

For Appellant: John Manheimer.

For Administration: Captain George Foster of fire department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(189-34-A)

WHEREAS, Rosekay Amusement Corp., lessee, filed June 25, 1934, an appeal from an order of the fire commissioner affecting premises 823 Utica avenue (Block No. 4676, Lot No. 57), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated June 4, 1934, C. S. Order No. 548, reads:

"A report of an inspection made of the premises indicated above, shows that the following item(s) require attention(s) and correction while the premises are open to the public:

"A reinspection will be made at an early date, and unless these items are complied with, further action on the part of this department may be necessary.

"1. Remove candy stand from the rear passageway of the theatre.

"2. Remove all loose chairs from cross passageway of balcony.

"This order to be complied with forthwith."

and

WHEREAS, the building is fireproof, one story, balcony, and roof garden (40 ft.) in height, 109 ft. 4 in. by 100 ft., irregular in area; OCCUPIED as stores (on part of the Utica avenue front) and as a motion picture theatre, the capacity of the theatre being 964 seats (656 seats in orchestra) and the roof garden being 720 seats; and

WHEREAS, there is a candy stand 5 ft. 10 in. wide and 1 ft. 10 in. deep, located at the rear of the orchestra; and

WHEREAS, appellant contends that the minimum width of the rear passageway is fourteen (14) ft.; that the candy stand does not create a fire hazard and requests the acceptance of existing conditions as to the candy stand.

Resolved, that the order No. 548-C.S. of the fire commissioner be and it hereby is *affirmed*, and the appeal be and it hereby is *denied*.

194-34-A.

APPELLANT—Max Ashpes, for Anna Ashpes, owner.
SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—1951 Hone avenue (Block No. 4269, Lot No. 13), Borough of The Bronx.

APPEARANCES—

For Appellant: Max Ashpes.

For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(194-34-A)

WHEREAS, Max Ashpes, for Anna Ashpes, owner, filed July 3, 1934, an appeal from a decision of the commissioner of buildings affecting premises 1951 Hone avenue (Block No. 4269, Lot No. 13), Borough of The Bronx; and

WHEREAS, the decision of the commissioner of buildings, dated June 23, 1934, re Application Slip 147-1934 (F. P.), reads:

"1. An oil burner which is not approved by the Board of Standards and Appeals may not be used." and also letter, dated June 23, 1934, reading as follows:

"Your request for the approval of the oil burner installation is herewith denied since oil burner does not bear the approval of the Board of Standards and Appeals; same must be obtained."

and

WHEREAS, the building is non-fireproof, two stories in height, 18 ft. by 48 ft. in area; OCCUPIED as a one-family dwelling; and

WHEREAS, it is proposed to install an oil burning equipment in the premises; the burner has not been approved by the Board of Standards and Appeals; and

WHEREAS, appellant requests permission to make the proposed installation for his own use and in his own home and not for selling or manufacturing purposes.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified*, and the appeal be and it hereby is *granted*, approving the burner as installed for use in these premises only, *on condition* that the equipment otherwise shall comply in all respects to the Oil Burner Rules of the Board of Standards and Appeals.

198-34-A.

APPELLANT—Agnes S. Gilligan, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—31-48 29th street (Block No. 579, Lot No. 78), Astoria, Borough of Queens.

APPEARANCES—

For Appellant: William Gilligan.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(198-34-A)

WHEREAS, Agnes S. Gilligan, owner, filed July 6, 1934, an appeal from an order of the fire commissioner affecting

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premises 31-48 29th street (Block No. 579, Lot No. 78), Astoria, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated June 18, 1934, re Order No. 65013-LC, reads:

"Discontinue maintenance of a garage in the above premises as same is of frame construction. Section 90, chapter 5," and

WHEREAS, the building is frame, two stories and basement in height, approximately 40 ft. by 40 ft., irregular in area; OCCUPIED: as a two-family dwelling and also as a garage for one motor vehicle, the property of the owner of the building; and

WHEREAS, appellant contends that the floor of the garage is concrete; that it is separated from the rest of the building by unpierced stone walls and that the only entrances to the garage is from the outside.

Resolved, that the order of the fire commissioner, No. 65013-LC, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the continuation of the one-car garage space *on condition* that same shall be for storage of owner's car only; that no gasoline shall be kept on premises except in tank of car; that the ceiling of garage space shall be fire retarded in accordance with the Rules of the Board of Standards and Appeals; that there shall be no openings from this garage into any other part of building; that all doors therefrom shall be to the exterior only.

81-23-A.

APPELLANT—Adolf Hinrichs, for General Baking Co., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—120 East 144th street (Block No. 2344, Lot No. 112), Borough of the Bronx.

APPEARANCES—

For Appellant: Adolf Hinrichs.

For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(81-23-A)

WHEREAS, Adolf Hinrichs, for General Baking Company, owner, filed January 22, 1923, an appeal from a decision of the commissioner of buildings, affecting premises No. 120 East 144th street (Block No. 2344, Lot No. 112), Borough of The Bronx; and

WHEREAS, this appeal was granted by the board March 20, 1923, on certain conditions, reopened on July 10, 1934, on a request for an amendment to the resolution, a new decision of the commissioner of buildings having been filed, dated June 23, 1934 (Applic. Slip 424-34 (F. P.)), which reads as follows:

"11. Install an approved standpipe equipment. Section 581, chapter 5." and

WHEREAS, the building is non-fireproof, one and two stories in height, having a frontage of 164 ft. on East 144th street, 200 ft. on Gerard avenue and a distance of 216 ft. along the south lot line—a total area of approximately 36,000 sq. ft.; OCCUPIED: as a bakery; basement, flour storage; 1st story, baking, shipping and wagon storage 2nd floor, office, mixing room and stable approximately 75 persons in entire building; located in an unrestricted district; EQUIPPED with a sprinkler system with a 40,000 gallon tank; and

WHEREAS, a similar order requiring the installation of a standpipe system in these premises was modified by the

board on March 20, 1923, on condition that the present subdivided area remains substantially unchanged; appellant proposes to convert the use of that space indicated on original plans as wagon storage to garage space and proposes to install a gasoline tank and pump; and

WHEREAS, appellant contends that no structural changes have been made in the building since the original appeal was granted and requests that the requirement for the installation of the standpipe system be waived.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified*, and the appeal be and it hereby is *granted* as to Objection No. 11 in connection with Applic Slip No. 424-34 (F. P.), *on condition* that the building shall comply in all other respects with all laws, rules and regulations applicable to the garage use, and *on further condition* that no permit shall be issued for gasoline installation.

PETITION FOR VARIATION.

201-34-S.

PETITIONER—Dunnington, Gregg & Church, for 586 Fifth Avenue Corporation, owner.

SUBJECT—Petition for variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—1-11 West 47th street (Block No. 1263, Lot Nos. 28 and 33), Borough of Manhattan.

APPEARANCES—

For Petitioner: T. J. Miller and E. E. Bloodgood.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(201-34-S)

WHEREAS, Dunnington, Gregg & Church, for 586 Fifth Avenue Corporation, owner, filed July 6, 1934, a petition for a variation from the requirements of the labor law as cited in an order and a decision of the commissioner of buildings affecting premises 1-11 West 47th street (Block No. 1263, Lot Nos. 28 and 33), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated May 26, 1934, Order No. 12631-LD, reads:

"Enclose all accommodation stairways from cellar to 1st story in partitions of fireproof material, all openings to be protected with fireproof self-closing doors. Section 270, of the Labor Law."

and

WHEREAS, the decision of the commissioner of buildings, dated June 22, 1934, reads:

"In reference to your request for reconsideration on the following order No. 12631-LD:

"Item 1—Enclose all accommodation stairways from cellar to first story in partitions of fire proof material, all openings to be protected with fireproof self-closing doors. Section 270, Labor Law.

"You are advised that as the premises is occupied for factory use and erected after October 1, 1913, your request is denied."

and

WHEREAS, the building, erected in 1923 is fireproof, 12 stories and pent house in height, 150 ft. by 90 ft. in area; OCCUPIED: 1st story, stores, 75 persons; upper stories, offices, showrooms and 25 per cent manufacturing, 175

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persons per story; EQUIPPED with a sprinkler system and a fire alarm signal system; EXITS: two interior fireproof stairways, extending from the 1st story to roof; enclosed in fireproof partitions with fireproof doors at openings; and

WHEREAS, there is located in the easterly store on the 1st story of the premises, an accommodation stairway constructed with steel strings and non-combustible material throughout; extending from the basement to the 1st story mezzanine; and

WHEREAS, petitioner contends that the building complies with the Labor Law in all respects with the exception of the unenclosed stairway; that the approved plans for the erection of the building clearly showed the accommodation stairway; that there are other legal means of exit from the basement; that the portion of the building within which the stairway is located is separated from the rest of the structure by fireproof partitions; that the stairway is a necessity for the proper conduct of the business of the lessee of the store and to enclose it would destroy its intended purpose.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the order be and it hereby is *modified* as to item 1 of Order No. 12631-LD of the commissioner of buildings, permitting the existing stairway on the 1st floor in the space occupied by a book store, from the cellar to mezzanine; and *modified* as to the stairway at the north-westerly side of the building leading from the rear of the freight elevator lobby to the basement, *on condition* that this stairway shall be enclosed on the 1st floor with fireproof walls and fireproof self-closing door and shall be enclosed in the cellar with fire-proof walls and fireproof doors, that such enclosed space in which this stairway is located in the cellar shall not be used for storage except for material of an incombustible nature, with access to the stairway unimpeded; that the standpipe system and sprinkler systems in the building shall be maintained in accordance with the Rules of the Board of Standards and Appeals.

APPLIANCES SUBMITTED FOR APPROVAL.

192-34-SA.

PETITIONER—Preferred Utilities Mfg. Corp., owner.
SUBJECT—Preferred Type B Anti-Syphon Valve, approval of.

APPEARANCES—

For Petitioner: Frank Glanz.

ACTION OF BOARD—Petition placed on reserve calendar, referred to the Engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

238-33-SA.

PETITIONER—David Kaufman, for Lynn Products Co., owner.

SUBJECT—Lynn Range Burner, Models Lynn Junior Lypre and DeLuxe, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition referred to Engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

436-32-SA.

PETITIONER—J. P. Feeley, for Scott-Newcomb, Incorporated, owner.

SUBJECT—Scott-Newcomb Pioneer Oil Burners, Models CJ, CV, and SN Junior, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of the Board and of the Bureau of Combustibles, Fire Department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(436-32-SA)

WHEREAS, W. R. Wherry, for Scott-Newcomb, Inc., owner, filed August 5, 1932, a petition with the Board of Standards and Appeals for approval of their device known as the Scott-Newcomb Pioneer Oil Burner, Models C and CA; and

WHEREAS, these devices were approved by the board, November 29, 1932, and Scott-Newcomb, Inc., requested an approval of Models CJ, CV and SN Junior; and

WHEREAS, these devices were submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board, and of the representatives of the bureau of combustibles approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The model SN Junior is a pressure atomized injector type burner, designed to use No. 1 to 4 Commercial grades of fuel oil. The burner is assembled in 2 units, connected by the oil supply line. The first is mounted upon a heavy stand and consists of the following parts, all manufactured by the Scott-Newcomb Company, with the exception of the motor which is a Century 1/6 Horsepower motor. Remaining parts consists of a pump of the Piston Valveless Type and an Air Compressor of the Rotary Type. The second unit which is attached to the boiler consists of a Webster Transformer, and a Combustion Head containing the Nozzle and Electrodes.

Ignition—Continuous Electric Ignition.

We tested the spark and found it to be of sufficient length and intensity.

Controls—Penn Type—600 Safety Controls mounted in the combustion chamber at the right of the combustion head. A Pressuretrol, Type L-404-2, manufactured by the Minneapolis-Honeywell Company.

With the oil supply shut off and a cold combustion chamber the burner was operated to the safety control on two successive tests and stopped the burner in 101 seconds. The burner was then operated normally with the oil supply turned on. During the period of the test there was no puff backs or explosions and the flame was free of smoke and soot. Examination of the combustion chamber showed no dangerous carbon deposits.

The models CJ and CV differ only from the models already approved in the size of the motor and fans and the capacity of the burner.

These models have been approved by the Underwriters Laboratories CJ and CV, No. 799 and SN MP 680.

It is therefore recommended that as the result of this test the Model SN, Junior be approved when installed and used in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals. We further recommend that the models CJ and CV be approved without any further tests under the general resolution adopted by the Board of Standards and Appeals on September 5, 1932, which reads as follows:

“Resolved, further, that when models of burner devices of greater or less capacity are made incorporating but slight structural changes in design, these models may be accepted by the administrative official having jurisdiction as conforming to and covered by the original approval.”

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Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior, for use in domestic and commercial installations when used with oil not heavier than No. 3 and when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

33-34-SA.

PETITIONER—Tridex Machine Corporation, owner.
SUBJECT—Tridex Cleaning Machine, approval of.
APPEARANCES—

For Petitioner: Edward A. Arnold.

ACTION OF BOARD—Appliance dismissed as improperly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(33-34-SA)

WHEREAS, the Tridex Machine Corp., owner, filed February 8, 1934, a petition with the Board of Standards and Appeals for approval of their device known as the Tridex Cleaning Machine; and

WHEREAS, this device was the subject of an inspection and test by a committee of the board and representatives of the board and of the fire department; and

WHEREAS, there is no provisions at law requiring the approval of this device when installed where permitted under the Code of Ordinances of the City of New York; and

WHEREAS, the request for approval is based on proposed use of this device in garages; and inasmuch as the device is essentially an open flame even though protected by a jacket; and

WHEREAS, under the Code of Ordinances, Section 159, chapter 10, an open flame is not permitted in a garage; and

WHEREAS, the board deems it would be improper to approve said device in a general resolution without consideration in each specific installation.

Resolved, that the petition be and it hereby is *dismissed* without prejudice to the filing of appeals in specific cases.

222-23-SA.

PETITIONER—Horace Dowie, owner; American Fire Prevention Bureau, agent.

SUBJECT—Dowie Combination Anti-Siphon Valve, approval of.

APPEARANCES—

For Petitioner: Horace Dowie.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(222-33-SA)

WHEREAS, Horace Dowie, owner, filed June 20, 1933, a petition with the Board of Standards and Appeals for approval of its device known as the Dowie Combination Anti-Siphon Valve; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, ap-

proved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The Dowie Combination Anti-Siphon Valve consists of a valve head of cast brass. A casing extends below the valve head, is made of seamless brass tubing. Inserted inside of this and attached to the head is a strainer, and inside the strainer another brass tube with a perforation at the bottom. In this brass tubing is a Monel metal plunger held in position over the brass seat by means of a brass guide, and acts as the anti-syphon device.

Suction created by a pump in the pipe line creates a vacuum above the plunger on the anti-siphon unit. Liquid flows from the tank through the valve in the lower valve casing. It passes through the fine strainer and moves up through the anti-siphon plunger opening, and out toward the burner.

The weight of the plunger of the anti-siphon unit in this particular valve is 2½ ounces, and this is equivalent to a ten-foot oil column. In case of a break in the pipe line, or in case the pump stops, the anti-siphon valve plunger drops into position and seals up the passage and prevents the oil from continuing to flow.

This principle was demonstrated to the satisfaction of those present at the test, and the anti-siphon valve working on a ten-foot suction head preventing siphoning the oil from tank when a by-pass on the suction line was opened to an oil reservoir; viz; a metal valve.

At the time of inspection the rules did not permit the use of an anti-siphon valve, the adoption of the Oil Burner Rules on June 15, 1934, provided for the approval of such a valve and it is therefore recommended that the Dowie Combination Anti-Siphon valve be approved for use in oil burning installations on condition that a ring be inserted in the top of the inner tube or the top of said tube spun over so as to prevent easy removal of the Monel metal plunger.

Resolved, that the Board of Standards and Appeals does hereby approve the Dowie Combination Anti-siphon valve, under the Oil Burner Rules of the Board of Standards and Appeals for voluntary use in oil burner installation, *on condition* that a ring shall be inserted in the top of the inner tube or the top of the said tube spun over so as to prevent easy removal of the Monel metal plunger.

166-34-SA.

PETITIONER—David Kaufman, for Lynn Products Company, owner.

SUBJECT—Lynn Power Oil Burner, Models 1, 2 and 3, approval of.

APPEARANCES—

For Petitioner: David Kaufman.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(166-34-SA)

WHEREAS, David Kaufman, for Lynn Products Company, owner, filed June 16, 1934, a petition with the Board of Standards and Appeals for approval of its device known as the Lynn Power Oil Burner, Models 1, 2 and 3; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of

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the fire department, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The burner under test at these premises was the Model No. 1. Models No. 2 and 3 are the same as No. 1, with the exception that larger fans and motors are used. All three burners are designed to burn No. 1 to No. 4 grade commercial fuel oil. The burner consists of the following parts:

Ohio 1/8 H.P. motor; Tuthill pump; Detroit lubricator; regulating and shut-off valve; Sirocco type fan and Cuno strainer.

Ignition—Electric. Dongan transformer 110 to 10,000 volts.

Controls—Pressuretrol type L-404-2; Protecto-relay Model R-117-3.

Nozzle—Monarch.

The burner was put into operation with the oil supply shut off, and with a cold combustion chamber, and at the end of 80 seconds, the controls operated and shut the machine down. This test was repeated a second time, and the controls shut the machine down in 83 seconds.

Examination of the spark showed it to be of sufficient length and intensity. The burner was then operated under normal conditions, and the flame was continuous, non-fluctuating and free from smoke and soot. Examination of the combustion chamber showed no hazardous carbon formation.

The burner, Models 1, 2 and 3, has been approved by the Underwriters Laboratories for oil not heavier than No. 3, Guide No. 300-10.4, MP-686.

It is therefore recommended that the Lynn Power Oil Burners, Models 1, 2 and 3, be approved when installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the Lynn Power Oil Burner, Models 1, 2 and 3, for use in domestic, commercial and industrial installations, when used with fuel oil not heavier than No. 3, and when installed in accordance with this report and the Oil Burner Rules of the Board of Standards and Appeals.

163-34-SA.

PETITIONER—David Kaufman, for M. K. Mazer and Sidney C. Friedman, owners.

SUBJECT—Samson Magnetic Fuel Oil Pump, approval of.

APPEARANCES—

For Petitioner: David Kaufman.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(163-34-SA)

WHEREAS, David Kaufman, for M. K. Mazer and Sidney C. Friedman, owners, filed June 13, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Samson Magnetic Fuel Oil Pump; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, ap-

proved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This pump is an automatic type pump, actuated by an electro-magnet. It consists of an electro-magnet whose armature rod is attached to a piston, moving within a cylinder. A coil spring and a make and break circuit switch complete the mechanism. The capacity of this pump is approximately one gallon per hour.

When the electro-magnet is energized, the armature rod lifts the piston which draws oil into the cylinder and compresses a spring. Near the end of the stroke, the armature rod trips a switch which breaks the current, thus de-energizing the electro-magnet, permitting the piston to drop under the force of the compressed spring. This action discharges oil from the cylinder, through a discharge valve. Excess oil not consumed returns through a by-pass valve to the tank.

The pump is protected by a thermal cut-out, which cuts off the current to the pump if the oil line breaks. The switch mechanism is fully protected. The entire pump is mounted on a base plate to minimize vibration.

Test. The operation of the pump was demonstrated by having it attached to the fuel oil burner. After letting it run for approximately ten minutes, the line to the burner was disconnected and placed inside of the tank, thus stimulating a break in the oil supply line.

The operation of the pump was stopped in a minute and fifty-four seconds by the blowing out of the thermal cut-out fuselron.

It is therefore recommended as a result of examination and test of this pump, that same be approved when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the Samson Magnetic Fuel Oil Pump for use with fuel oil installations when installed in accordance with this report and with the Oil Burner Rules of the Board of Standards and Appeals.

346-33-SA.

PETITIONER—Arthur B. Goodspeed, owner.

SUBJECT—Goodspeed Oil Burner Nozzle Type 2, approval of.

APPEARANCES—

For Petitioner: Edgar W. Clerke.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(346-33-SA)

WHEREAS, Arthur B. Goodspeed, owner, filed November 16, 1933, a petition with the Board of Standards and Appeals, for approval of the device known as the Goodspeed Oil Burner Nozzle Type 2; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The burner is of the mechanical atomizing type, atomizing oil at 7½ lbs. maximum air or steam pressure. The device submitted is simply a burner head or

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nozzle which may be substituted for the nozzle in the system already approved. A new feature has been added, namely, that air or steam cannot be completely shut off. This improvement meets with the requirements of the National Board of Fire Underwriters for such types of burners. This nozzle can be either automatically or manually operated.

It is recommended that this new burner nozzle be approved when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals for use in commercial and industrial installations.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Goodspeed Oil Burner Nozzle Type 2 for use in commercial and industrial installations when installed in accordance with the above report and the Oil Burner Rules of the Board of Standards and Appeals.

Adjourned, 5:00 P. M.

EDWARD V. BARTON, Chief Clerk.

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*CORRECTION

The minutes of the Meeting of the Board of Standards and Appeals held Tuesday, July 10, 1934, as they appeared in Bulletin No. 29, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(418-31-BZ)

WHEREAS, McCabe and Hickey, for Gerwan Realty Co., Inc., owner, filed August 25, 1931; withdrawn January 8, 1932; reopened January 23, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 1036-1060 McDonald avenue (Gravesend avenue), northwest corner of 47th street (Block No. 5452, Lot No. 37), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that McDonald avenue (Gravesend) is in a business district; 19th avenue is in a business district; Parkville avenue and 47th streets are in both residence and business districts; and

WHEREAS, the decision of the commissioner of buildings rendered May 4, 1934, re: Applic. No. 4758-1934, reads:

"Proposed gasoline service station to be located in a business use district is contrary to article 2, section 4a of zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 208.81 ft. on McDonald avenue, 148 ft. 6 in. on Parkville avenue and 210 ft. 8 in. on 47th street, upon which it is proposed to erect a one-story office and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, as reported by the chairman at the hearing; and

WHEREAS, the board deemed that applicant has substantiated his basis of appeal under section 21 of the building zone resolution, and, therefore, is entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 of the building zone resolution, *on condition* that the area to be used for the gasoline selling station shall be that portion only of the triangular plot bounded by McDonald avenue, Parkville avenue and 47th street, as shown on the revised plans marked "Received July 6, 1934," with a frontage on 47th street of 200 ft. and on McDonald

avenue of 209 ft.; that the balance of the triangle with a frontage of approximately 60 ft. on McDonald avenue and 143 ft. on Parkville avenue and approximately 60 ft. on 47th street shall remain vacant and seeded with grass and planted with shrubs and trees, until such time as it can be utilized for a building designed for conforming business uses, connected in no way with the proposed gasoline service station; that the entire triangular block shall be leveled substantially to the level of McDonald avenue; that there shall be erected, as indicated on plans filed with this application, from 47th street to McDonald avenue and along 47th street for a distance of approximately 150 ft. a wall constructed both sides of face brick and suitably coped and not less than 6 ft. in height; that the accessory buildings shall consist of an office and a section for greasing racks; that these buildings shall not exceed one story in height and shall be constructed of incombustible materials, except that the roof framing, roof boarding, doors and windows may be of wood, provided that the ceilings are fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the fronts of the greasing section shall remain open; that there shall be no open excavation under these accessory buildings, except the pits for the greasing racks; that all gasoline pumps installed shall be at least 15 ft. from the street building line of 47th street and McDonald avenue and not nearer than 10 ft. to any accessory building; that planting shall be maintained, where indicated, at the rear of the accessory building and toward McDonald avenue and at the angle formed by the intersection of McDonald avenue and 47th street for a distance at least 20 ft.; that around these planting areas there shall be installed stone or concrete curbs for protection; that the balance of the plot where not covered by accessory buildings, walls, planting and gasoline pumps, shall be either cement paved or covered with cracked blue stone; that the entrances to the gasoline selling area shall not exceed three from McDonald avenue and one from 47th street; that these entrances shall not exceed 25 ft. in width each and that opposite these entrances there shall be curb cuts not exceeding 30 ft. each; that between these entrances there shall be constructed and maintained for the protection of the public, reinforced concrete curbs erected on the street building line, not less than 12 inches in width and 6 inches in height, the top surface of which may be rounded; there shall be no portable gasoline tanks used on or from the property; that signs advertising non-conforming use shall be limited to the globes of the gasoline pumps and one upright post standard near the intersection of 47th street and McDonald avenue, excluding all temporary signs of every nature; that lights for general illumination shall be on pipe standards not over 10 ft. in height with metal reflectors arranged to shine downwardly; that working plans shall be submitted to the board for approval by the chairman in behalf of the board, before same are filed with the commissioner of buildings; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

* Correction—Word "floors" in line 63 of resolution changed to "doors."

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held July 10, 1934, as they appeared in Bulletin No. 29, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(56-34-BZ)

WHEREAS, Lama & Proskauer, for Joseph Cafiero, owner, filed March 2, 1934; withdrawn June 5, 1934; reopened June 19, 1934; an application under the building zone resolution to permit in a business district the erection and maintenance of a petroleum storage plant with tanks above ground; premises: 2115-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Neptune avenue is in a business district; West 22nd street is in business, unrestricted and residence districts and West 21st street is in business and residence districts; and

WHEREAS, the decision of the commissioner of buildings, rendered June 14, 1934 (re App. No. 877-1934), reads:

"1. Storage of petroleum in a business zone contrary to article 2, paragraph 4, section 26 of the zone resolution.

"2. Storage of petroleum above ground level contrary to article 8, chapter 10, section 111 of code of ordinance."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 137 ft. on Neptune

* *Correction*—Word "rules" added after oil burner in line 52 of resolution.

avenue, 153 ft. on West 22nd street and a distance of 154 ft. along the northeast lot line. The north part of the plot extends into the unrestricted district for a distance of 53 ft.—the remainder is in the business district. It is proposed to remove the frame structure now on the site and to erect thereon a pump and foamite house, 40 ft. by 20 ft. in area, and three (3) approved type steel tanks for the storage of fuel oil, two tanks having a capacity of 60,000 gallons each and one tank having a capacity of 71,000 gallons; to be occupied as a petroleum storage plant; and

WHEREAS, this application was the subject of an inspection by a committee of the board, as reported by the chairman at the hearing; and

WHEREAS, the board deemed that applicant has substantiated his basis of appeal under section 21 of the building zone resolution, and, therefore, is entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 of the building zone resolution, permitting the site under appeal to be used for a fuel oil storage plant, *on condition* that the installation complies with the requirements of the Code of Ordinances and Oil Burner rules of the Board of Standards and Appeals; that there shall be erected along the line of Neptune avenue and for a distance of approximately 25 ft. from the corner of Neptune avenue and along West 22nd street, a face brick or concrete wall not less than 6 ft. in height with but one opening from Neptune avenue, not over 10 ft. in width, such opening to be equipped with a pair of solid heavy gates; that on the easterly interior lot line and on the street building line of West 22nd street, there shall be erected a substantial woven wire fence unless there is erected on the street building line a concrete dike not less than 5 ft. in height above the street grade; that this variance is granted only so long as these premises are used for the purpose of a fuel oil storage plant and that no use other than the variance granted herein shall be permitted or maintained on these premises.

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model		M. D. Rotary.....	52-27-SA
No. 1000	9-32-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Monroe Oil Pump.....	658-26-SA
Beach Russ Co. Rotary.....	1134-22-SA	Northern Rotary	1396-24-SA
Blackmer Rotary	935-24-SA	Pascoe Pump Set.....	1029-26-SA
Blake & Knowles Horizontal Simplex Piston		Petro-Nokol Industrial Oil Pump.....	570-32-SA
Pattern Pump	372-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Century Rotary	908-21-SA	Quimby Screw Pump.....	1193-21-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump.....	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump.....	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Tate-Jones	492-21-SA
Enterprise Oil Pump.....	11-28-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Exeter Rotary	507-22-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Hand Rotary.....	1133-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Viking	438-21-SA
Goulds Triplex Plunger.....	257-22-SA	Warren Oil Pump.....	1169-23-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Koerting Gear Pump.....	1264-25-SA	Worthington Duplex Double-Acting Steam	
Kraissl Fuel Oil Pump.....	60-28-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday, May 29, 1934, as they appeared in Bulletin No. 23, Vol. XIX, and as they appeared corrected in Bulletin No. 25, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(341-33-SA)

WHEREAS, Volcano Burner Corporation, owner, filed November 13, 1933, a petition with the Board of Standards and Appeals for approval of its device known as the Volcano Automatic Oil Burner, Models EW-1, and amended to include EW-1-S and EW-2; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of the fire department, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

REPORT OF BURNER TEST.

The representative of the board and two representatives of the bureau of combustibles of the fire department witnessed the tests made on the burner, Model EW-1, in operation at No. 3415 Tibbett avenue, Borough of The Bronx, January 4, 1934.

The burner is of the pressure atomizing gun-type, operated by electric power, assembled in accordance with the description in the petition before the board:

A Janette electric motor, 1/6 H.P.; a Sirocco type fan manufactured by the Volcano Oil Burning Corp.; a strainer manufactured by the Cuno Engineering

* *Correction*—EW-2 and EW-3 omitted in line 4 of resolution and words amended to include EW-1-S and EW-2 substituted.

Corp.; a Tuthill pump; Webster transformer of 10,000 volts output; a Monarch regulating and cut-off valve of the piston type and Monarch nozzle of 2 gallon per hour capacity. Pump and fan are mounted on the same shaft.

Controls: Minneapolis Honeywell Pressuretrol, type L-104-2 and a Protectorelay, type R-117-3.

Ignition: Electric.

Burner constructed to use No. 2 fuel oil.

Under test, cutting off the power while the burner was in operation, the fire was immediately extinguished with a slight amount of smoke resulting; the Protectorelay cut-off the power less than 91 seconds after the burner was started with no fuel oil supply; the electrodes produced a steady white arc at the fire end of the nozzle which showed very slight carbon deposits; all controls responded and operated in a safe and satisfactory manner. No evidence of a fire hazard appeared during the tests.

The approval of the burner, Model EW-1, is recommended for domestic and commercial use when installed in accordance with the requirements of the Fuel Oil Rules.

Model EW-1 was the only model tested.

and

WHEREAS, this burner was approved by the Underwriters Laboratories, Laboratories File M. P. 615, April 8, 1931; and

WHEREAS, the petitioner requested an amendment of the resolution to include in the approval Models EW-1-S and EW-2 which differ from the model approved simply as to capacity and a report of the engineer of the board recommends the approval of these models.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Volcano Automatic Oil Burner, Model EW-1, EW-1-S and EW-2, for use in domestic and commercial installation when used with fuel oil not heavier than No. 2 and installed in accordance with above report and the fuel oil rules of the Board of Standards and Appeals.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

USE OF HYDRATED LIME IN CONCRETE

Adopted by the Board of Standards and Appeals, April 19, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Maxon Oil Burner (New Style).....	1036-22-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	May Oil Burner.....	68-24-SA
Auto-Heat Oil Burner.....	284-33-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1.....	359-33-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil High Pressure Burner.....	185-29-SA
Berggren Oil Burner.....	764-26-SA	National Airoil Low Pressure Burner.....	186-29-SA
Best Calorex Burner.....	1464-21-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Bock Oil Burning Water Heater.....	102-34-SA	North American Low Pressure Oil Burner...	792-26-SA
Brighton Oil Burner.....	372-33-SA	Oilbilt Burner.....	85-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Oronoke Oil Burner.....	394-30-SA
Burnwell Mechanical Burner.....	957-22-SA	Packard Fuel Oil Burner.....	77-34-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Model W Oil Burner.....	452-31-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
D'Elia Oil Burner.....	155-31-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
DeWalt Oil Burner.....	541-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Doe Oil Burner.....	317-31-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enco Mechanical Oil Burner.....	509-30-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Forsdraft Oil Burner	41-34-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Frankfort Type P Oil Burner.....	1046-23-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Gem Fuel Oil Burner.....	111-26-SA	S. K. Oil Burner, Model F.....	369-33-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Ghapco Steam Generator.....	348-31-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Standadyne Oil Burner.....	34-34-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Steam Oil Burner.....	183-22-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Grant Oil Burner, Model "C".....	232-32-SA	Sun Heat Oil Burner.....	603-29-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Hammond Oil Burner.....	72-31-SA	Sunway Oil Burner.....	624-30-SA
Harris Fuel Oil Burner.....	690-30-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Hart Oil Burner, Model "H".....	221-33-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hayward Oil Burner.....	696-30-SA	Timken Rotary Oil Burner.....	297-29-SA
Hobeco Oil Burner.....	1278-21-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Holby Oil Burner.....	328-27-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Spiro Oil Burner.....	470-31-SA
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Todd Spiro Burner (pump type).....	94-32-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Todd Steam Atomizing Fuel Oil Burner.....	123-23-SA
Kelvinator Oil Burner, Model K.....	105-34-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Kreager Oil Burner.....	367-30-SA	Vaporoil Burner	44-32-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Warner Oil Burner, Model A.....	16-34-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Wheco Oil Burner.....	108-34-SA
Liberty Automatic Heater.....	129-28-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Liberty Pressure Oil Burner.....	75-34-SA	Wizard Automatic Oil Burner.....	181-33-SA
Lientz Oil Burner.....	155-20-SA		
Lonergan Automatic Oil Burner.....	208-33-SA		
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69) Manhattan.

Appliances Submitted for Approval.

28-23-SA—Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

209-32-SA—Crocker 4-inch Siamese.

229-32-SA—Camel Automatic Oil Burner, Model A. S.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

349-33-SA—Herco Oil Burner.

32-34-SA—Super Oil Burner for Pressing Machine.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

117-34-SA—Carter Oil Burner, Models 4X and 5X.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

155-34-SA—Midget Oil Burner.

165-34-SA—Rose Oil Heater.

172-34-SA—Silent Glow Oil Burner, Atmospheric Type.

181-34-SA—Genuine Detroit Constant Level Valve, Models CRC160, CRC180, CRC150, CRC350 and CRC550, Types A-D-H-K-L-M-S, S-1, S-2 and V-1-2-3-4.

182-34-SA—Genuine Detroit Anti-Syphon Valve, Model CRC100, Types V and S.

183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.

184-34-SA—Vapofier Oil Burner.

192-34-SA—Preferred Type B Anti-Syphon Valve.

205-34-SA—Automatic Firetox Extinguisher.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	31
Cases filed up to July 18, 1934.....	207	Dismissed	13
Restored to Calendar.....	61	Denied	90
		Granted	0
		Granted on condition.....	129
		Appliances approved	41
		Appliances dismissed, disapproved or withdrawn....	28
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	199	Requests to reopen granted.....	174
Requests to amend.....	69	Requests to reopen denied.....	15
Requests for modification.....	1	Requests to amend granted.....	69
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	38	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	38
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	811	Requests for extension of permit granted.....	12
Disposed of	664	Requests for extension of permit denied.....	0
Cases pending July 18, 1934.....	147	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	10
		Total.....	664

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN OF THE BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 31

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 10, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 17, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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This issue of the Bulletin contains, in the order given—

Docket.

Notice of Adjournment.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Progress Report.

CALENDAR

DOCKET.

New Cases Filed up to July 25, 1934.

Cal. No. Department. Premises Affected.
211-34-BZ.....D.B.Bx.. Baychester ave., northeast cor-
ner of Camp st. (Block 5095,
Lot 76), The Bronx,
N.B. 112-34.

210-34-A.....F.D..... Pier at foot of West 155th st.,
North River, Manhattan,
3575-LC.

209-34-A.....F.D..... 2-12 Taylor st. (Block 2174,
Lot 14), Brooklyn,
65073-LC.

208-34-SA.....F.D..... Globe Oil Burner Pump,
Appliance.

CODE

F.D.....Fire Department
H.D.....Health Department
D.B.B.....Department of Buildings, Brooklyn
D.B.M.....Department of Buildings, Manhattan
D.B.Q.....Department of Buildings, Queens
D.B.R.....Department of Buildings, Richmond
D.B.Bx.....Department of Buildings, Bronx
T.H.D.....Tenement House Department

RULES

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Certificate of Occupancy, approved forms.....	Aug.	2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	June	6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	July	24, 1934—Vol. 19 No. 30
Elevator Rules.....	July	3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov.	14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov.	14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept.	26, 1933—Vol. 18 No. 39
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Fireline Hose Valves.....	July	17, 1934—Vol. 19 No. 29
Fuel Oil Burners for Domestic and Commercial Use.....	July	31, 1934—Vol. 19 No. 31
Fuel Oil Burners for Industrial Use.....	July	24, 1934—Vol. 19 No. 30
Fuel Oil Pumps.....	July	31, 1934—Vol. 19 No. 31
Paint, Varnish and Lacquer Spray- ing Equipment.....	Apr.	17, 1934—Vol. 19 No. 16

ADJOURNMENT.

Notice is hereby given that the next regular meeting of the board of standards and appeals will be held on Tuesday, September 11, 1934, at 10 a. m., and that the next Clerk's Calendar Call will be held on Monday, September 10, 1934, at 2 p. m.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934, AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the amendment of a resolution adopted by the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CALENDAR

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1934, 2 P. M.

Appeals from Administrative Orders.

173-34-A—East side of Whitlock avenue, 200 ft. south of Westchester avenue (Block No. 2759, Lot No. 136), The Bronx.

175-34-A—544-550 5th avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Brooklyn.

Petitions for Variation.

190-34-S—1-25 Junius street and 1738-1744 East New York avenue, southwest corner (Block No. 3679, part of Lot No. 12), Brooklyn.

199-34-S—120-124 Pearl street and 80-82 York street (Block No. 63, Lot No. 5), Brooklyn.

Appliances Submitted for Approval

156-34-SA—Allen's Siamese Connections for Fire Department use.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

197-34-SA—Biltwell Range Oil Burner, Models B-1 and B-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

CALL OF CLERK'S CALENDAR MONDAY, SEPTEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

73-34-BZ

APPLICANT—Michael Levine, for Karron and Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5 $\frac{3}{8}$ " south of 20th avenue (Block No. 5464, part of Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 19, 1934),

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied.

158-34-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

177-34-BZ

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

PREMISES—South side of Flushing avenue, 106' west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed building for the storage of wagons.

185-34-BZ

APPLICANT—Samuels and Samuels, for Ben H. Sanders and Henry A. Doten, owners.

PREMISES—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance

CALENDAR

of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzel, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934. 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolu-

tion, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ

APPLICANT—Max Klein, for Max Tharler, owner.

PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, Septem-*

CALENDAR

ber 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for

Avonzel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump

Calendar No.

Name of Pump

Calendar No.

American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model		M. D. Rotary.....	52-27-SA
No. 1000	9-32-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Monroe Oil Pump.....	658-26-SA
Beach Russ Co. Rotary.....	1134-22-SA	Northern Rotary	1396-24-SA
Blackmer Rotary	935-24-SA	Pascoe Pump Set.....	1029-26-SA
Blake & Knowles Horizontal Simplex Piston		Petro-Nokol Industrial Oil Pump.....	570-32-SA
Pattern Pump	372-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Century Rotary	908-21-SA	Quimby Screw Pump.....	1193-21-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump.....	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump.....	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Tate-Jones	492-21-SA
Enterprise Oil Pump.....	11-28-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Exeter Rotary	507-22-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Hand Rotary.....	1133-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Viking	438-21-SA
Goulds Triplex Plunger.....	257-22-SA	Warren Oil Pump.....	1169-23-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Koerting Gear Pump.....	1264-25-SA	Worthington Duplex Double-Acting Steam	
Kraissl Fuel Oil Pump.....	60-28-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA	Gar Wood Oil Burner.....	373-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Alida Oil Burner.....	124-34-SA	General Electric Fuel Oil Burner.....	434-32-SA
Arcoil Heat Machine.....	632-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Auto-Heat Oil Burner.....	284-33-SA	Ghapco Steam Generator.....	348-31-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gill Oil Burner.....	1231-23-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Berggren Oil Burner.....	764-26-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner.....	731-28-SA	Gulf Oil Burner.....	382-26-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner.....	813-25-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner.....	1162-24-SA
Branford Oil Burner.....	36-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner	696-30-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heatiator Oil Burner.....	1346-23-SA
Caloroil Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Carborundum Burner	571-29-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Carter-Korth Oil Burner	54-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Century Oil Burner.....	157-28-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Challenger Oil Burner, Model "A".....	86-34-SA	Inferno Oil Burner.....	82-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	International Mechanical Draft Oil Burner...	372-30-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	International Oil Burner.....	1305-24-SA
Cook's Automatic Oil Burner.....	955-27-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Crescent Oil Burner	222-29-SA	Joyce Oil Burner.....	852-26-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	K. F. C. Oil Burner.....	846-25-SA
Crown Oil Burner, Type XA.....	426-29-SA	Kelco Oil Burner.....	237-33-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Kelvinator Oil Burner.....	339-31-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
D'Elia Oil Burner.....	155-31-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Delco Heat Oil Burner.....	420-31-SA	Kleen Heet Oil Burner.....	62-24-SA
DeWalt Oil Burner.....	541-31-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
Dist-o-matic Oil Burner.....	663-28-SA	Kreager Oil Burner.....	367-30-SA
Doe Oil Burner.....	317-31-SA	Kres-Kno Oil Burner.....	443-28-SA
Doherty Oil Burner.....	943-26-SA	Laco Oil Burner, Model NL.....	670-30-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	Lange Economical Oil Burner.....	355-33-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Lawrence May Oil Burner.....	1034-27-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Leader Oil Burner.....	425-31-SA
Ember-Glo Oil Burner.....	462-32-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Esposito Oil Gas Burner.....	1431-23-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Evenheet Oil Burner.....	554-32-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
Everedy Oil Burner.....	102-33-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Fairfield Oil Burner.....	584-31-SA	Magna Fuel Oil Burner.....	197-33-SA
Faultless Oil Burner.....	493-24-SA	Majestic Oil Burner.....	693-30-SA
Florence Oil Heater, Model KC-9.....	62-33-SA	Marr Oil Heat Machine.....	765-26-SA
Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA	Master Fuel Oil Burner.....	350-32-SA
Fluid Heat Oil Burner.....	361-32-SA		

APPROVED APPLIANCES

Name of Burner	Calendar No.	Name of Burner	Calendar No.
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
May Oil Burner.....	68-24-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
May Oil Burner, Type BB.....	46-34-SA	Schulse Home Oil Burner.....	1487-23-SA
Mayfield Oil Burner.....	568-31-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Mayflower Oil Burner.....	124-29-SA	Security Oil Burner.....	56-28-SA
McIlvane Oil Burner.....	544-29-SA	Shepard Oil Burner.....	563-30-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Shill Oil Burner.....	315-30-SA
Merco Oil Burner.....	637-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Oil Burner.....	458-26-SA
Morrissey Oil Burner.....	673-27-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Glow Oil Burner, Models 800, 1000, 1800 and 2800	345-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Mousette Oil Burner.....	887-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Airoil Low Pressure Burner.....	186-29-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Rotary Oil Burner.....	836-25-SA	Standardyne Oil Burner.....	34-34-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
New Process Oil Burner.....	1071-27-SA	Stuhler Oil Burner.....	618-27-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Summerheat Oil Burner.....	581-26-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Nokol Automatic Burner.....	1078-24-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Nu-Way Oil Burner.....	773-26-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Oilbuilt Burner	85-33-SA	Sun Heat Oil Burner.....	603-29-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Oronoke Oil Burner.....	394-30-SA	Sunway Oil Burner.....	624-30-SA
Orr Fuel Oil Burner.....	113-26-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Packard Fuel Oil Burner.....	77-34-SA	Superfex Oil Burning Heater.....	491-31-SA
Paramount Oil Burner.....	1193-25-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Paramount Oil Burner, Model A.....	617-30-SA	Superheat Oil Burner, Model D.....	254-33-SA
Pascoe Oil Burner.....	1029-26-SA	Sword Automatic Oil Burner.....	951-25-SA
Petro Domestic Burner.....	161-26-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Petro Model T Oil Burner.....	451-31-SA	Thoroburn Oil Burner, Model A-1-16-G....	269-33-SA
Petro Model W Oil Burner.....	452-31-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Burner, Model O.....	78-28-SA	Timken Rotary Oil Burner.....	297-29-SA
Petro Burner, Model P-2.....	735-30-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Petro Oil Burner, Model W-2	244-33-SA	Todd Spiro Oil Burner.....	470-31-SA
Petro Oil Burner, Models W-1 and W-1½..	245-33-SA	Todd Spiro Burner (pump type).....	94-32-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Toridheet Oil Burner.....	63-28-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Powerlight Oilheat Burner.....	628-23-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	United States Oil Burner.....	620-28-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Universal Fuel Oil Burner.....	6-24-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Vaporoil Burner	44-32-SA
Quaker Burnoil Stove.....	11-31-SA	Vesta Oil Burner.....	451-26-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victor Oil Burner.....	612-30-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Victory Oil Burner.....	320-30-SA
Rayfield Oil Burner.....	504-26-SA	Viking Oil Burner.....	396-32-SA
Real Host Oil Burner.....	38-34-SA	Volcano Automatic Oil Burner.....	556-29-SA
Re-Ly-On Oil Burner.....	745-26-SA	Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2.....	341-33-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Warner Oil Burner, Model A.....	16-34-SA
Remington Oil Burner.....	891-26-SA	Wayne Oil Burner.....	1155-25-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Wheco Oil Burner.....	108-34-SA
Rickard Oil Burner.....	1011-27-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB and R.....	918-22-SA
Rotoflame Oil Burner.....	187-33-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	Wizard Automatic Oil Burner.....	181-33-SA
S & K Wide Range Fuel Oil Burner.....	10-33-SA	York Automatic Oil Burner.....	44-29-SA
S-K Oil Burner, Model F.....	369-33-SA		
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA		

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	31
Cases filed up to July 25, 1934.....	211	Dismissed	13
Restored to Calendar.....	61	Denied	90
		Granted	0
		Granted on condition.....	129
		Appliances approved	41
		Appliances dismissed, disapproved or withdrawn....	28
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	199	Requests to reopen granted.....	174
Requests to amend.....	69	Requests to reopen denied.....	15
Requests for modification.....	1	Requests to amend granted.....	69
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	38	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	38
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	815	Requests for extension of permit granted.....	12
Disposed of	664	Requests for extension of permit denied.....	0
Cases pending July 25, 1934.....	151	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	10
		Total.....	664

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 32

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 10, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 17, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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This issue of the Bulletin contains, in the order given—

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Notice of Adjournment.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Progress Report.

CALENDAR

DOCKET.

New Cases Filed up to August 1, 1934

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
215-34-BZ.....	D.B.Q....	170-60 118th ave., 118-12 Merrick road (boulevard), southwest corner (Block 3130, Lot 323), St. Albans, Queens, N.B. 135-34.
214-34-BZ.....	D.B.B....	412-14 Manhattan ave., 130 Richardson st., southeast corner (Block 2734, Lot 7), Brooklyn, Applic. 7320-34.
213-34-SA.....	F.D.....	Grant Syphon Breaker, Appliance.
212-34-BZ.....	D.B.B....	1709 Neptune ave., northwest corner Cropsey ave. (Block 6994), Lots 104 & 99), Brooklyn, Applic. 8982-34.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

	<i>Last Publication in Bulletin</i>
Certificate of Occupancy, approved forms.....	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	July 24, 1934—Vol. 19 No. 30
Elevator Rules.....	July 3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept. 26, 1933—Vol. 18 No. 39
Fire Drill Rules.....	May 30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.	Nov. 28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of.....	Apr. 10, 1934—Vol. 19 No. 15
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Oil Burner Rules.....	July 10, 1934—Vol. 19 No. 28
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Procedure, Rules of.....	June 20, 1933—Vol. 18 No. 25
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Structural Alterations, Reporting.....	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	July 17, 1934—Vol. 19 No. 29
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Fuel Oil Burners for Industrial Use.....	July 24, 1934—Vol. 19 No. 30
Fuel Oil Pumps.....	Aug. 7, 1934—Vol. 19 No. 32
Paint, Varnish and Lacquer Spraying Equipment.....	Apr. 17, 1934—Vol. 19 No. 16

ADJOURNMENT.

Notice is hereby given that the next regular meeting of the board of standards and appeals will be held on Tuesday, September 11, 1934, at 10 a. m., and that the next Clerk's Calendar Call will be held on Monday, September 10, 1934, at 2 p. m.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934. AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the amendment of a resolution adopted by the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CALENDAR

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1934, 2 P. M.

Appeals from Administrative Orders.

173-34-A—East side of Whitlock avenue, 200 ft. south of Westchester avenue (Block No. 2759, Lot No. 136), The Bronx.

175-34-A—544-550 5th avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Brooklyn.

Petitions for Variation.

190-34-S—1-25 Junius street and 1738-1744 East New York avenue, southwest corner (Block No. 3679, part of Lot No. 12), Brooklyn.

199-34-S—120-124 Pearl street and 80-82 York street (Block No. 63, Lot No. 5), Brooklyn.

Appliances Submitted for Approval

156-34-SA—Allen's Siamese Connections for Fire Department use.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

197-34-SA—Biltwell Range Oil Burner, Models B-1 and B-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

73-34-BZ

APPLICANT—Michael Levine, for Karron and Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5 $\frac{3}{8}$ " south of 20th avenue (Block No. 5464, part of Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 19, 1934),

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied.

158-34-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

177-34-BZ

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

PREMISES—South side of Flushing avenue, 106' west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed building for the storage of wagons.

185-34-BZ

APPLICANT—Samuels and Samuels, for Ben H. Sanders and Henry A. Doten, owners.

PREMISES—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance

CALENDAR

of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzell, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolu-

tion, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ

APPLICANT—Max Klein, for Max Tharler, owner.

PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, Septem-*

CALENDAR

ber 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for

Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA	Gar Wood Oil Burner.....	373-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Alida Oil Burner.....	124-34-SA	General Electric Fuel Oil Burner.....	434-32-SA
Arcoil Heat Machine.....	632-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Auto-Heat Oil Burner.....	284-33-SA	Ghapco Steam Generator.....	348-31-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gill Oil Burner.....	1231-23-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Berggren Oil Burner.....	764-26-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner.....	731-28-SA	Gulf Oil Burner.....	382-26-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner.....	813-25-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner.....	1162-24-SA
Branford Oil Burner.....	36-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner	696-30-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heatiator Oil Burner.....	1346-23-SA
Caloroil Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Carborundum Burner	571-29-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Carter-Korth Oil Burner	54-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Century Oil Burner.....	157-28-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Challenger Oil Burner, Model "A".....	86-34-SA	Inferno Oil Burner.....	82-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	International Mechanical Draft Oil Burner...	372-30-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	International Oil Burner.....	1305-24-SA
Cook's Automatic Oil Burner.....	955-27-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Crescent Oil Burner	222-29-SA	Joyce Oil Burner.....	852-26-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	K. F. C. Oil Burner.....	846-25-SA
Crown Oil Burner, Type XA.....	426-29-SA	Kelco Oil Burner.....	237-33-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Kelvinator Oil Burner.....	339-31-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
D'Elia Oil Burner.....	155-31-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Delco Heat Oil Burner.....	420-31-SA	Kleen Heet Oil Burner.....	62-24-SA
DeWalt Oil Burner.....	541-31-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
Dist-o-matic Oil Burner.....	663-28-SA	Kreager Oil Burner.....	367-30-SA
Doe Oil Burner.....	317-31-SA	Kres-Kno Oil Burner.....	443-28-SA
Doherty Oil Burner.....	943-26-SA	Laco Oil Burner, Model NL.....	670-30-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	Lange Economical Oil Burner.....	355-33-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Lawrence May Oil Burner.....	1034-27-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Leader Oil Burner.....	425-31-SA
Ember-Glo Oil Burner.....	462-32-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Espo Oil Gas Burner.....	1431-23-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Evenheet Oil Burner.....	554-32-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
Everedy Oil Burner.....	102-33-SA	M. W. Oil Burning Water Heater.....	737-29-SA
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Faultless Oil Burner.....	493-24-SA	Majestic Oil Burner.....	693-30-SA
Florence Oil Heater, Model KC-9.....	62-33-SA	Marr Oil Heat Machine.....	765-26-SA
Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA	Master Fuel Oil Burner.....	350-32-SA
Fluid Heat Oil Burner.....	361-32-SA		

APPROVED APPLIANCES

Name of Burner	Calendar No.	Name of Burner	Calendar No.
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner.....	198-32-SA
May Oil Burner.....	68-24-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
May Oil Burner, Type BB.....	46-34-SA	Schulse Home Oil Burner.....	1487-23-SA
Mayfield Oil Burner.....	568-31-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Mayflower Oil Burner.....	124-29-SA	Security Oil Burner.....	56-28-SA
McIlvane Oil Burner.....	544-29-SA	Shepard Oil Burner.....	563-30-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Shill Oil Burner.....	315-30-SA
Merco Oil Burner.....	637-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Oil Burner.....	458-26-SA
Morrissey Oil Burner.....	673-27-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Glow Oil Burner, Models 800, 1000, 1800 and 2800.....	345-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Mousette Oil Burner.....	887-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Airoil Low Pressure Burner.....	186-29-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Rotary Oil Burner.....	836-25-SA	Standardyne Oil Burner.....	34-34-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
New Process Oil Burner.....	1071-27-SA	Stuhler Oil Burner.....	618-27-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Summerheat Oil Burner.....	581-26-SA
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Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Nokol Automatic Burner.....	1078-24-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Nu-Way Oil Burner.....	773-26-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Oilbuilt Burner.....	85-33-SA	Sun Heat Oil Burner.....	603-29-SA
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Oronoque Oil Burner.....	394-30-SA	Sunway Oil Burner.....	624-30-SA
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Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA	Toridheet Oil Burner.....	63-28-SA
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Prize Automatic Oil Burner, Models A, B and C.....	600-31-SA	Universal Fuel Oil Burner.....	6-24-SA
Progressive Oil Burner, Models G4, G5, G6 and G7.....	411-32-SA	Vaporoil Burner.....	44-32-SA
Quaker Burnoil Stove.....	11-31-SA	Vesta Oil Burner.....	451-26-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victor Oil Burner.....	612-30-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Victory Oil Burner.....	320-30-SA
Rayfield Oil Burner.....	504-26-SA	Viking Oil Burner.....	396-32-SA
Real Host Oil Burner.....	38-34-SA	Volcano Automatic Oil Burner.....	556-29-SA
Re-Ly-On Oil Burner.....	745-26-SA	Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2.....	341-33-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Warner Oil Burner, Model A.....	16-34-SA
Remington Oil Burner.....	891-26-SA	Wayne Oil Burner.....	1155-25-SA
Rexoil Domestic and Industrial Fuel Oil Burner.....	667-28-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Wheco Oil Burner.....	108-34-SA
Rickard Oil Burner.....	1011-27-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB and R.....	918-22-SA
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S & K Wide Range Fuel Oil Burner.....	10-33-SA	York Automatic Oil Burner.....	44-29-SA
S-K Oil Burner, Model F.....	369-33-SA		
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner.....	197-32-SA		

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	31
Cases filed up to August 1, 1934.....	215	Dismissed	13
Restored to Calendar.....	61	Denied	90
		Granted	0
		Granted on condition.....	129
		Appliances approved	41
		Appliances dismissed, disapproved or withdrawn....	28
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
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Requests to amend.....	69	Requests to reopen denied.....	15
Requests for modification.....	1	Requests to amend granted.....	69
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	38	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	38
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	819	Requests for extension of permit granted.....	12
Disposed of	664	Requests for extension of permit denied.....	0
Cases pending August 1, 1934.....	155	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	10
		Total.....	664

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN OF THE BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 33

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 10, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 17, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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Notice of Adjournment.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Approved Fuel Oil Pumps.

Oil Burner Rules.

Approved Burners for Industrial Use.

Progress Report.

CALENDAR

DOCKET.

New Cases Filed up to August 8, 1934.

Cal. No. Department. Premises Affected.
219-34-SA.....F.D.....Florence Range Burners,
Appliance.

218-34-BZ.....D.B.Q....103-05 to 15 Astoria ave., 29-18
Humphreys st., northwest cor-
ner, (Block 1667, Lot 8), E.
Elmhurst, Queens,
Alt. 4322-34.

217-34-A.....F.D.....Barge in Atlantic Ocean, 1,000
ft. off shore—foot of Beach
97th to 100th streets, Rocka-
way Beach, Queens,
65136-LC.

216-34-A.....F.D.....52-64 Warren st., (Block 303,
Lot 1), Brooklyn,
65096-LC.

CODE

F.D.....Fire Department
H.D.....Health Department
D.B.B.....Department of Buildings, Brooklyn
D.B.M.....Department of Buildings, Manhattan
D.B.Q.....Department of Buildings, Queens
D.B.R.....Department of Buildings, Richmond
D.B.Bx.....Department of Buildings, Bronx
T.H.D.....Tenement House Department

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Paint, Varnish and Lacquer Spray- ing Equipment	Apr.	17, 1934—Vol. 19 No. 16

ADJOURNMENT.

Notice is hereby given that the next regular meeting of the board of standards and appeals will be held on Tuesday, September 11, 1934, at 10 a. m., and that the next Clerk's Calendar Call will be held on Monday, September 10, 1934, at 2 p. m.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934, AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the amendment of a resolution adopted by the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

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CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1934, 2 P. M.

Appeals from Administrative Orders.

173-34-A—East side of Whitlock avenue, 200 ft. south of Westchester avenue (Block No. 2759, Lot No. 136), The Bronx.

175-34-A—544-550 5th avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Brooklyn.

Petitions for Variation.

190-34-S—1-25 Junius street and 1738-1744 East New York avenue, southwest corner (Block No. 3679, part of Lot No. 12), Brooklyn.

199-34-S—120-124 Pearl street and 80-82 York street (Block No. 63, Lot No. 5), Brooklyn.

Appliances Submitted for Approval

156-34-SA—Allen's Siamese Connections for Fire Department use.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

197-34-SA—Biltwell Range Oil Burner, Models B-1 and B-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

73-34-BZ

APPLICANT—Michael Levine, for Karron and Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5 $\frac{3}{8}$ " south of 20th avenue (Block No. 5464, part of Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 19, 1934),

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied.

158-34-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

177-34-BZ

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

PREMISES—South side of Flushing avenue, 106' west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed building for the storage of wagons.

185-34-BZ

APPLICANT—Samuëls and Samuels, for Ben H. Sanders and Henry A. Doten, owners.

PREMISES—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance

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of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzel, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolu-

tion, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ

APPLICANT—Max Klein, for Max Tharler, owner.

PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September*

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ber 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for

Avonzel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

RULES

OIL BURNER RULES

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals
June 15, 1934

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

RULES

STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 10 pounds per square inch without permanent deformation, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

- (1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;
- (2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material, and where the tank is 48 inches or less in diameter the shell shall have a thickness of not less than $\frac{3}{16}$ of an inch and where the tank is over 48 inches in diameter the shell shall have a thickness of not less than $\frac{1}{4}$ of an inch.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

RULES

Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground.

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity or not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

(c) Vents shall be not less than one and one-quarter inches (1¼") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

RULES

less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or private right of way.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for approval for permit shall be made by the installer on forms furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity, number and location of storage tanks, together with approval of such installation by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Installation of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be

provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by a $\frac{1}{2}$ " asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

(g) Near each boiler or furnace of a fuel oil burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand.

Rule 15. Instruction Cards.

(a) Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

(b) For manually operated systems not fully automatic the operator shall obtain a certificate of fitness from the fire commissioner.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Maxon Oil Burner (New Style).....	1036-22-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	May Oil Burner.....	68-24-SA
Auto-Heat Oil Burner.....	284-33-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1.....	359-33-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil High Pressure Burner.....	185-29-SA
Berggren Oil Burner.....	764-26-SA	National Airoil Low Pressure Burner.....	186-29-SA
Best Calorex Burner.....	1464-21-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Bock Oil Burning Water Heater.....	102-34-SA	North American Low Pressure Oil Burner...	792-26-SA
Brighton Oil Burner.....	372-33-SA	Oilbilt Burner.....	85-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Oronoque Oil Burner.....	394-30-SA
Burnwell Mechanical Burner.....	957-22-SA	Packard Fuel Oil Burner.....	77-34-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Model W Oil Burner.....	452-31-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
D'Elia Oil Burner.....	155-31-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
DeWalt Oil Burner.....	541-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Doe Oil Burner.....	317-31-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enco Mechanical Oil Burner.....	509-30-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Forsdraft Oil Burner	41-34-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Frankfort Type P Oil Burner.....	1046-23-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Gem Fuel Oil Burner.....	111-26-SA	S. K. Oil Burner, Model F.....	369-33-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Ghapco Steam Generator.....	348-31-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Standardyne Oil Burner.....	34-34-SA
Gold Star Oil Burner, Models F and S.....	166-33-SA	Steam Oil Burner.....	183-22-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Grant Oil Burner, Model "C".....	232-32-SA	Sun Heat Oil Burner.....	603-29-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Hammond Oil Burner.....	72-31-SA	Sunway Oil Burner.....	624-30-SA
Harris Fuel Oil Burner.....	690-30-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Hart Oil Burner, Model "H".....	221-33-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hayward Oil Burner.....	696-30-SA	Timken Rotary Oil Burner.....	297-29-SA
Hobeco Oil Burner.....	1278-21-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Holby Oil Burner.....	328-27-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Spiro Oil Burner.....	470-31-SA
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Todd Spiro Burner (pump type).....	94-32-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Todd Steam Atomizing Fuel Oil Burner.....	123-23-SA
Kelvinator Oil Burner, Model K.....	105-34-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Kreager Oil Burner.....	367-30-SA	Vaporoil Burner	44-32-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Warner Oil Burner, Model A.....	16-34-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Wheco Oil Burner.....	108-34-SA
Liberty Automatic Heater.....	129-28-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Liberty Pressure Oil Burner.....	75-34-SA	Wizard Automatic Oil Burner.....	181-33-SA
Lientz Oil Burner.....	155-20-SA		
Lonergan Automatic Oil Burner.....	208-33-SA		
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		

PROGRESS REPORT

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		Granted	0
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		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
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Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	38	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	38
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total.....	823	Requests for extension of permit granted.....	12
Disposed of	664	Requests for extension of permit denied.....	0
Cases pending August 8, 1934.....	159	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	10
		Total.....	664

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—

- Docket.
- Notice of Adjournment.
- Call of Clerk's Calendar.
- Notices in Building Zone Cases.
- The Trial Calendar.
- Approved Fuel Oil Pumps.
- Oil Burner Rules.
- Approved Burners for Industrial Use.
- Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 10, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 17, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman

CALENDAR

DOCKET.

New Cases Filed up to August 15, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
227-34-BZ	D.B.Q.	30-24 51st avenue, S. E. corner Queens boulevard (Block 2472, Lot 9), Elmhurst, Queens. N.B. 1212-34.

226-34-SA	F.D.	"Norge Oil Burner," Appliance.
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225-34-A	F.D.	60-74 Columbus avenue (Block 1134, Lot 29), Manhattan. 3351-LC and Decision.
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224-34-SA	F.D.	Progressive Press Machine Oil Burner. Appliance.
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223-34-BZ	D.B.Q.	Northwest corner of Cross Island boulevard and 169th street (Block 5769, Lot 1), Bayside, Queens. N.B. 936-34.
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222-34-BZ	D.B.Q.	Southeast corner of Little Neck parkway and Hillside avenue (Block 4523, part of Lot 51), Floral Park, Queens. N.B. 1149-34
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221-34-SA	F.D.	"The Ohio Pattern Works & Foundry Co. Curb Fill Box," Appliance.
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220-34-A	D.B.M.	531-541 West 23rd street (Block 695, part of Lot 15), Manhattan. Decision.
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CODE

F.D.	Fire Department
H.D.	Health Department
D.B.B.	Department of Buildings, Brooklyn
D.B.M.	Department of Buildings, Manhattan
D.B.Q.	Department of Buildings, Queens
D.B.R.	Department of Buildings, Richmond
D.B.Bx.	Department of Buildings, Bronx
T.H.D.	Tenement House Department

RULES

	Last Publication in Bulletin
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime)	July 24, 1934—Vol. 19 No. 30
Elevator Rules	July 3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors)	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules	Nov. 14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior)	Sept. 26, 1933—Vol. 18 No. 39
Fire Drill Rules	May 30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.	Nov. 28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of	Apr. 10, 1934—Vol. 19 No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4 No. 3
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10 No. 14
Hatchway Protection	June 5, 1928—Vol. 13 No. 23
Oil Burner Rules	Aug. 14, 1934—Vol. 19 No. 33
Paint, Varnish and Lacquer Spraying Rules	Apr. 17, 1934—Vol. 19 No. 16
Plumbing Rules	July 17, 1934—Vol. 19 No. 29
Procedure, Rules of	June 20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O.	Feb. 13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules	Jan. 16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules	Sept. 26, 1933—Vol. 18 No. 39
Structural Alterations, Reporting	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves	July 17, 1934—Vol. 19 No. 29
Fuel Oil Burners for Domestic and Commercial Use	Aug. 21, 1934—Vol. 19 No. 34
Fuel Oil Burners for Industrial Use	Aug. 14, 1934—Vol. 19 No. 33
Fuel Oil Pumps	Aug. 21, 1934—Vol. 19 No. 34
Paint, Varnish and Lacquer Spraying Equipment	Apr. 17, 1934—Vol. 19 No. 16

ADJOURNMENT.

Notice is hereby given that the next regular meeting of the board of standards and appeals will be held on Tuesday, September 11, 1934, at 10 a. m., and that the next Clerk's Calendar Call will be held on Monday, September 10, 1934, at 2 p. m.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934. AT 2 P. M.

Building Zone Cases.

127-34-BZ.
 APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.
 PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

160-34-BZ.
 APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.
 PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.
 APPLICATION, under sections 7c and 21 of the building zone resolution,
 TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.
 APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.
 PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT the amendment of a resolution adopted by the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CALENDAR

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1934, 2 P. M.

Appeals from Administrative Orders.

173-34-A—East side of Whitlock avenue, 200 ft. south of Westchester avenue (Block No. 2759, Lot No. 136), The Bronx.

175-34-A—544-550 5th avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Brooklyn.

Petitions for Variation.

190-34-S—1-25 Junius street and 1738-1744 East New York avenue, southwest corner (Block No. 3679, part of Lot No. 12), Brooklyn.

199-34-S—120-124 Pearl street and 80-82 York street (Block No. 63, Lot No. 5), Brooklyn.

Appliances Submitted for Approval

156-34-SA—Allen's Siamese Connections for Fire Department use.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

197-34-SA—Biltwell Range Oil Burner, Models B-1 and B-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

73-34-BZ

APPLICANT—Michael Levine, for Karron and Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5 $\frac{3}{8}$ " south of 20th avenue (Block No. 5464, part of Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 19, 1934),

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied.

158-34-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

177-34-BZ

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

PREMISES—South side of Flushing avenue, 106' west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed building for the storage of wagons.

185-34-BZ

APPLICANT—Samuels and Samuels, for Ben H. Sanders and Henry A. Doten, owners.

PREMISES—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance

CALENDAR

of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzel, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolu-

tion, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ

APPLICANT—Max Klein, for Max Tharler, owner.

PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, Septem-*

CALENDAR

ber 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for

Avonzel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA	Gar Wood Oil Burner.....	373-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Alida Oil Burner.....	124-34-SA	General Electric Fuel Oil Burner.....	434-32-SA
Arcoil Heat Machine.....	632-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Auto-Heat Oil Burner.....	284-33-SA	Ghapco Steam Generator.....	348-31-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gill Oil Burner.....	1231-23-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Berggren Oil Burner.....	764-26-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner.....	731-28-SA	Gulf Oil Burner.....	382-26-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner.....	813-25-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner.....	1162-24-SA
Branford Oil Burner.....	36-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner	696-30-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heatiator Oil Burner.....	1346-23-SA
Caloroil Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models H and HF....	309-33-SA
Carborundum Burner	571-29-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Carter-Korth Oil Burner	54-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Century Oil Burner.....	157-28-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Challenger Oil Burner, Model "A".....	86-34-SA	Inferno Oil Burner.....	82-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	International Mechanical Draft Oil Burner...	372-30-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	International Oil Burner.....	1305-24-SA
Cook's Automatic Oil Burner.....	955-27-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Crescent Oil Burner	222-29-SA	Joyce Oil Burner.....	852-26-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	K. F. C. Oil Burner.....	846-25-SA
Crown Oil Burner, Type XA.....	426-29-SA	Kelco Oil Burner.....	237-33-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Kelvinator Oil Burner.....	339-31-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
D'Elia Oil Burner.....	155-31-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Delco Heat Oil Burner.....	420-31-SA	Kleen Heet Oil Burner.....	62-24-SA
DeWalt Oil Burner.....	541-31-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
Dist-o-matic Oil Burner.....	663-28-SA	Kreager Oil Burner.....	367-30-SA
Doe Oil Burner.....	317-31-SA	Kres-Kno Oil Burner.....	443-28-SA
Doherty Oil Burner.....	943-26-SA	Laco Oil Burner, Model NL.....	670-30-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	Lange Economical Oil Burner.....	355-33-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Lawrence May Oil Burner.....	1034-27-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Leader Oil Burner.....	425-31-SA
Ember-Glo Oil Burner.....	462-32-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Espo Oil Gas Burner.....	1431-23-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Evenheet Oil Burner.....	554-32-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
Everedy Oil Burner.....	102-33-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Fairfield Oil Burner.....	584-31-SA	Magna Fuel Oil Burner.....	197-33-SA
Faultless Oil Burner.....	493-24-SA	Majestic Oil Burner.....	693-30-SA
Florence Oil Heater, Model KC-9.....	62-33-SA	Marr Oil Heat Machine.....	765-26-SA
Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA	Master Fuel Oil Burner.....	350-32-SA
Fluid Heat Oil Burner.....	361-32-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
May Oil Burner.....	68-24-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
May Oil Burner, Type BB.....	46-34-SA	Schulze Home Oil Burner.....	1487-23-SA
Mayfield Oil Burner.....	568-31-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Mayflower Oil Burner.....	124-29-SA	Security Oil Burner.....	56-28-SA
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Administrative requests	0	Requests for extension of time granted.....	38
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Total	827	Requests for extension of permit granted.....	12
Disposed of	664	Requests for extension of permit denied.....	0
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		Requests to install denied.....	0
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		Administrative requests denied or withdrawn.....	0
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		Requests withdrawn or dismissed.....	10
		Total.....	664

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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SEP -6 1934

UNIVERSITY OF ILLINOIS
BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 35

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

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This issue of the Bulletin contains, in the order given—

Docket.

Notice of Adjournment.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Approved Fuel Oil Pumps.

Oil Burner Rules.

Approved Burners for Domestic and Industrial Use.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 10, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 17, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to August 22, 1934.

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234-34-SA.....	F.D.....	Bland Range Oil Burner, Appliance.
233-34-A.....	D.B.M.....	130-132 5th avenue (Block 820, Lot 38), Manhattan. 15744-F.
232-34-A.....	F.D.....	1589 Atlantic avenue., N. E. Cor. Troy avenue (Block 1706, Lot 1), Brooklyn. 42628-C.
231-34-BZ.....	D.B.B.....	9402-9404 Church avenue, S. E. Cor. East 94th street (Block 4715, Lot 36), Brooklyn. N.B. 7519-34.
230-34-BZ.....	D.B.B.....	303-305 4th avenue, S. E. Cor. 2nd street (Block 974, Part of Lot 6), Brooklyn. Slip Applic. 9249-34.
229-34-BZ.....	D.B.Bx.....	531-535 East Fordham road and 2536 Bathgate avenue, N. E. Cor. (Block 3273, Lots 305 & 307), Bronx N.B. 177-34.
228-34-A.....	F.D.....	892-896 Bergen street (Block 1149, Lot 24), Brooklyn. 62772-LC & Decision.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

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Structural Alterations, Reporting.....	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

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Fireline Hose Valves.....	July 17, 1934—Vol. 19 No. 29
Fuel Oil Burners for Domestic and Commercial Use.....	Aug. 28, 1934—Vol. 19 No. 35
Fuel Oil Burners for Industrial Use.....	Aug. 14, 1934—Vol. 19 No. 33
Fuel Oil Pumps.....	Aug. 28, 1934—Vol. 19 No. 35
Paint, Varnish and Lacquer Spraying Equipment.....	Apr. 17, 1934—Vol. 19 No. 16

ADJOURNMENT.

Notice is hereby given that the next regular meeting of the board of standards and appeals will be held on Tuesday, September 11, 1934, at 10 a. m., and that the next Clerk's Calendar Call will be held on Monday, September 10, 1934, at 2 p. m.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934. AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the amendment of a resolution adopted by the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

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CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.
HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1934, 2 P. M.

Appeals from Administrative Orders.

173-34-A—East side of Whitlock avenue, 200 ft. south of Westchester avenue (Block No. 2759, Lot No. 136), The Bronx.

175-34-A—544-550 5th avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Brooklyn.

Petitions for Variation.

190-34-S—1-25 Junius street and 1738-1744 East New York avenue, southwest corner (Block No. 3679, part of Lot No. 12), Brooklyn.

199-34-S—120-124 Pearl street and 80-82 York street (Block No. 63, Lot No. 5), Brooklyn.

Appliances Submitted for Approval

156-34-SA—Allen's Siamese Connections for Fire Department use.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

197-34-SA—Biltwell Range Oil Burner, Models B-1 and B-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

73-34-BZ

APPLICANT—Michael Levine, for Karron and Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5 $\frac{3}{8}$ " south of 20th avenue (Block No. 5464, part of Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 19, 1934),

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied.

158-34-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

177-34-BZ

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

PREMISES—South side of Flushing avenue, 106' west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed building for the storage of wagons.

185-34-BZ

APPLICANT—Samuels and Samuels, for Ben H. Sanders and Henry A. Doten, owners.

PREMISES—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance

CALENDAR

of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviack Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzell, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934. 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution,

to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ

APPLICANT—Max Klein, for Max Tharler, owner.

PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September*

CALENDAR

ber 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for

Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump

Calendar No.

Name of Pump

Calendar No.

American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model		M. D. Rotary.....	52-27-SA
No. 1000	9-32-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Monroe Oil Pump.....	658-26-SA
Beach Russ Co. Rotary.....	1134-22-SA	Northern Rotary	1396-24-SA
Blackmer Rotary	935-24-SA	Pascoe Pump Set.....	1029-26-SA
Blake & Knowles Horizontal Simplex Piston		Petro-Nokol Industrial Oil Pump.....	570-32-SA
Pattern Pump	372-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Century Rotary	908-21-SA	Quimby Screw Pump.....	1193-21-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump.....	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump.....	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Tate-Jones	492-21-SA
Enterprise Oil Pump.....	11-28-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Exeter Rotary	507-22-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Hand Rotary.....	1133-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Viking	438-21-SA
Goulds Triplex Plunger.....	257-22-SA	Warren Oil Pump.....	1169-23-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Koerting Gear Pump.....	1264-25-SA	Worthington Duplex Double-Acting Steam	
Kraissl Fuel Oil Pump.....	60-28-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA	Gar Wood Oil Burner.....	373-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Alida Oil Burner.....	124-34-SA	General Electric Fuel Oil Burner.....	434-32-SA
Arcoil Heat Machine.....	632-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Auto-Heat Oil Burner.....	284-33-SA	Ghapco Steam Generator.....	348-31-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gill Oil Burner.....	1231-23-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Berggren Oil Burner.....	764-26-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner.....	731-28-SA	Gulf Oil Burner.....	382-26-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner.....	813-25-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner.....	1162-24-SA
Branford Oil Burner.....	36-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner	696-30-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heatiator Oil Burner.....	1346-23-SA
Caloroil Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Carborundum Burner	571-29-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Carter-Korth Oil Burner	54-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Century Oil Burner.....	157-28-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Challenger Oil Burner, Model "A".....	86-34-SA	Inferno Oil Burner.....	82-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	International Mechanical Draft Oil Burner...	372-30-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	International Oil Burner.....	1305-24-SA
Cook's Automatic Oil Burner.....	955-27-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Crescent Oil Burner	222-29-SA	Joyce Oil Burner.....	852-26-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	K. F. C. Oil Burner.....	846-25-SA
Crown Oil Burner, Type XA.....	426-29-SA	Kelco Oil Burner.....	237-33-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Kelvinator Oil Burner.....	339-31-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
D'Elia Oil Burner.....	155-31-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Delco Heat Oil Burner.....	420-31-SA	Kleen Heet Oil Burner.....	62-24-SA
DeWalt Oil Burner.....	541-31-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
Dist-o-matic Oil Burner.....	663-28-SA	Kreager Oil Burner.....	367-30-SA
Doe Oil Burner.....	317-31-SA	Kres-Kno Oil Burner.....	443-28-SA
Doherty Oil Burner.....	943-26-SA	Laco Oil Burner, Model NL.....	670-30-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	Lange Economical Oil Burner.....	355-33-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Lawrence May Oil Burner.....	1034-27-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Leader Oil Burner.....	425-31-SA
Ember-Glo Oil Burner.....	462-32-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Espo Oil Gas Burner.....	1431-23-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Evenheet Oil Burner.....	554-32-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
Everedy Oil Burner.....	102-33-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Fairfield Oil Burner.....	584-31-SA	Magna Fuel Oil Burner.....	197-33-SA
Faultless Oil Burner.....	493-24-SA	Majestic Oil Burner.....	693-30-SA
Florence Oil Heater, Model KC-9.....	62-33-SA	Marr Oil Heat Machine.....	765-26-SA
Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA	Master Fuel Oil Burner.....	350-32-SA
Fluid Heat Oil Burner.....	361-32-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
May Oil Burner.....	68-24-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
May Oil Burner, Type BB.....	46-34-SA	Schulze Home Oil Burner.....	1487-23-SA
Mayfield Oil Burner.....	568-31-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Mayflower Oil Burner.....	124-29-SA	Security Oil Burner.....	56-28-SA
McIlvane Oil Burner.....	544-29-SA	Shepard Oil Burner.....	563-30-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Shill Oil Burner.....	315-30-SA
Merco Oil Burner.....	637-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Oil Burner.....	458-26-SA
Morrissey Oil Burner.....	673-27-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Glow Oil Burner, Models 800, 1000, 1800 and 2800	345-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Mousette Oil Burner.....	887-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Airoil Low Pressure Burner.....	186-29-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Rotary Oil Burner.....	836-25-SA	Standardyne Oil Burner.....	34-34-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
New Process Oil Burner.....	1071-27-SA	Stuhler Oil Burner.....	618-27-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Summerheat Oil Burner.....	581-26-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Nokol Automatic Burner.....	1078-24-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Nu-Way Oil Burner.....	773-26-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Oilbuilt Burner	85-33-SA	Sun Heat Oil Burner.....	603-29-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Oronoque Oil Burner.....	394-30-SA	Sunway Oil Burner.....	624-30-SA
Orr Fuel Oil Burner.....	113-26-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Packard Fuel Oil Burner.....	77-34-SA	Superfex Oil Burning Heater.....	491-31-SA
Paramount Oil Burner.....	1193-25-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Paramount Oil Burner, Model A.....	617-30-SA	Superheat Oil Burner, Model D.....	254-33-SA
Pascoe Oil Burner.....	1029-26-SA	Sword Automatic Oil Burner.....	951-25-SA
Petro Domestic Burner.....	161-26-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Petro Model T Oil Burner.....	451-31-SA	Thoroburn Oil Burner, Model A-1-16-G.....	269-33-SA
Petro Model W Oil Burner.....	452-31-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Burner, Model O.....	78-28-SA	Timken Rotary Oil Burner.....	297-29-SA
Petro Burner, Model P-2.....	735-30-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Petro Oil Burner, Model W-2	244-33-SA	Todd Spiro Oil Burner.....	470-31-SA
Petro Oil Burner, Models W-1 and W-1½..	245-33-SA	Todd Spiro Burner (pump type).....	94-32-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Toridheat Oil Burner.....	63-28-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Powerlight Oilheat Burner.....	628-23-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	United States Oil Burner.....	620-28-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Universal Fuel Oil Burner.....	6-24-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Vaporoil Burner	44-32-SA
Quaker Burnoil Stove.....	11-31-SA	Vesta Oil Burner.....	451-26-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victor Oil Burner.....	612-30-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Victory Oil Burner.....	320-30-SA
Rayfield Oil Burner.....	504-26-SA	Viking Oil Burner.....	396-32-SA
Real Host Oil Burner.....	38-34-SA	Volcano Automatic Oil Burner.....	556-29-SA
Re-Ly-On Oil Burner.....	745-26-SA	Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2.....	341-33-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Warner Oil Burner, Model A.....	16-34-SA
Remington Oil Burner.....	891-26-SA	Wayne Oil Burner.....	1155-25-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Wheco Oil Burner.....	108-34-SA
Rickard Oil Burner.....	1011-27-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB and R.....	918-22-SA
Rotoflame Oil Burner.....	187-33-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	Wizard Automatic Oil Burner.....	181-33-SA
S. & K. Wide Range Fuel Oil Burner.....	10-33-SA	York Automatic Oil Burner.....	44-29-SA
S-K Oil Burner, Model F.....	369-33-SA		
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA		

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	31
Cases filed up to August 22, 1934.....	223	Dismissed	13
Restored to Calendar.....	61	Denied	90
		Granted	0
		Granted on condition.....	129
		Appliances approved	41
		Appliances dismissed, disapproved or withdrawn....	28
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	199	Requests to reopen granted.....	174
Requests to amend.....	69	Requests to reopen denied.....	15
Requests for modification.....	1	Requests to amend granted.....	69
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	38	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	38
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	827	Requests for extension of permit granted.....	12
Disposed of	664	Requests for extension of permit denied.....	0
Cases pending August 22, 1934.....	163	Requests to instal granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	10
		Total.....	664

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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SEPTEMBER 4, 1934

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No. 36

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Notice of Adjournment.

Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Industrial Use.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 10, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 17, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to August 29, 1934

Cal. No.	Department.	Premises Affected.
243-34-BZ.....	D.B.B....	2909-2917 86th St. & 525-535 Van Sicklen St., N.E. Cor. (Block 7169, Lot 28), Brooklyn. Applic. 10524-34.
242-34-BZ.....	D.B.B....	787-795 Empire Blvd. (Block 1423, Lot 41-43), Brooklyn. Applic. 7879-34.
241-34-A.....	F.D.....	513-519 West 58th St. & 516-522 West 59th St. (Block 1087, Lot 21), Manhattan. 4021-C.
240-34-A.....	D.B.M....	50 East 8th St. (Block 548, Lot 31), Manhattan. Applic. 360-34.
239-34-A.....	D.B.M....	794 11th Ave. & 552 West 55th St. (Block 1083, Lot 61), Manhattan. Applic. 362-34.
238-34-BZ.....	D.B.B....	480-492 Hemlock St., N.W. Cor. of Conduit Blvd. (Block 4198, Lot 19), Brooklyn. Applic. 10165-34.
237-34-SA.....	F.D.....	Holland Type "F" Oil Burner, Appliance.
236-34-SA.....	F.D.....	Air-O-Flame Range Burners, Appliance.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

Last Publication in Bulletin

Certificate of Occupancy, approved forms.....	Aug.	2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	June	6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	July	24, 1934—Vol. 19 No. 30
Elevator Rules.....	July	3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov.	14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov.	14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept.	26, 1933—Vol. 18 No. 39
Fire Drill Rules.....	May	30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.....	Nov.	28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of.....	Apr.	10, 1934—Vol. 19 No. 15
Frame Garages, Ruling for.....	Jan.	21, 1919—Vol. 4 No. 3
Gas Shut-Off Rules.....	Apr.	7, 1925—Vol. 10 No. 14
Hatchway Protection.....	June	5, 1928—Vol. 13 No. 23
Oil Burner Rules.....	Aug.	14, 1934—Vol. 19 No. 33
Paint, Varnish and Lacquer Spraying Rules.....	Apr.	17, 1934—Vol. 19 No. 16
Plumbing Rules.....	July	17, 1934—Vol. 19 No. 29
Procedure, Rules of.....	June	20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O. Feb.		13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for.....	Dec.	5, 1933—Vol. 18 No. 49
Sprinkler Rules.....	Jan.	16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules.....	Sept.	26, 1933—Vol. 18 No. 39
Structural Alterations, Reporting.....	June	7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr.	10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	July	17, 1934—Vol. 19 No. 29
Fuel Oil Burners for Domestic and Commercial Use.....	Sept.	4, 1934—Vol. 19 No. 36
Fuel Oil Burners for Industrial Use.....	Aug.	14, 1934—Vol. 19 No. 33
Fuel Oil Pumps.....	Sept.	4, 1934—Vol. 19 No. 36
Paint, Varnish and Lacquer Spraying Equipment.....	Apr.	17, 1934—Vol. 19 No. 16

ADJOURNMENT.

Notice is hereby given that the next regular meeting of the board of standards and appeals will be held on Tuesday, September 11, 1934, at 10 a. m., and that the next Clerk's Calendar Call will be held on Monday, September 10, 1934, at 2 p. m.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934. AT 2 P. M.

Building Zone Cases.

127-34-BZ.
 APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.
 PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

160-34-BZ.
 APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.
 PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.
 APPLICATION, under sections 7c and 21 of the building zone resolution,
 TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.
 APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.
 PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT the amendment of a resolution adopted by the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CALENDAR

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1934, 2 P. M.

Appeals from Administrative Orders.

173-34-A—East side of Whitlock avenue, 200 ft. south of Westchester avenue (Block No. 2759, Lot No. 136), The Bronx.

175-34-A—544-550 5th avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Brooklyn.

Petitions for Variation.

190-34-S—1-25 Junius street and 1738-1744 East New York avenue, southwest corner (Block No. 3679, part of Lot No. 12), Brooklyn.

199-34-S—120-124 Pearl street and 80-82 York street (Block No. 63, Lot No. 5), Brooklyn.

Appliances Submitted for Approval

156-34-SA—Allen's Siamese Connections for Fire Department use.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

197-34-SA—Biltwell Range Oil Burner, Models B-1 and B-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

73-34-BZ

APPLICANT—Michael Levine, for Karron and Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5 $\frac{3}{8}$ " south of 20th avenue (Block No. 5464, part of Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 19, 1934),

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied.

158-34-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

177-34-BZ

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

PREMISES—South side of Flushing avenue, 106' west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed building for the storage of wagons.

185-34-BZ

APPLICANT—Samuels and Samuels, for Ben H. Sanders and Henry A. Doten, owners.

PREMISES—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance

CALENDAR

of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzel, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934. 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 18, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolu-

tion, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ

APPLICANT—Max Klein, for Max Tharler, owner.

PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, Septem-*

CALENDAR

ber 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for

Avonzel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA	Gar Wood Oil Burner.....	373-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Alida Oil Burner.....	124-34-SA	General Electric Fuel Oil Burner.....	434-32-SA
Arcoil Heat Machine.....	632-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Auto-Heat Oil Burner.....	284-33-SA	Ghapco Steam Generator.....	348-31-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gill Oil Burner.....	1231-23-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Berggren Oil Burner.....	764-26-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner.....	731-28-SA	Gulf Oil Burner.....	382-26-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner.....	813-25-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner.....	1162-24-SA
Branford Oil Burner.....	36-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner	696-30-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heatiator Oil Burner.....	1346-23-SA
Caloroil Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Carborundum Burner	571-29-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Carter-Korth Oil Burner	54-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Century Oil Burner.....	157-28-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Challenger Oil Burner, Model "A".....	86-34-SA	Inferno Oil Burner.....	82-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	International Mechanical Draft Oil Burner...	372-30-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	International Oil Burner.....	1305-24-SA
Cook's Automatic Oil Burner.....	955-27-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Crescent Oil Burner	222-29-SA	Joyce Oil Burner.....	852-26-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	K. F. C. Oil Burner.....	846-25-SA
Crown Oil Burner, Type XA.....	426-29-SA	Kelco Oil Burner.....	237-33-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Kelvinator Oil Burner.....	339-31-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
D'Elia Oil Burner.....	155-31-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Delco Heat Oil Burner.....	420-31-SA	Kleen Heet Oil Burner.....	62-24-SA
DeWalt Oil Burner.....	541-31-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
Dist-o-matic Oil Burner.....	663-28-SA	Kreager Oil Burner.....	367-30-SA
Doe Oil Burner.....	317-31-SA	Kres-Kno Oil Burner.....	443-28-SA
Doherty Oil Burner.....	943-26-SA	Laco Oil Burner, Model NL.....	670-30-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	Lange Economical Oil Burner.....	355-33-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Lawrence May Oil Burner.....	1034-27-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Leader Oil Burner.....	425-31-SA
Ember-Glo Oil Burner.....	462-32-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Espo Oil Gas Burner.....	1431-23-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Evenheet Oil Burner.....	554-32-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
Everedy Oil Burner.....	102-33-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Fairfield Oil Burner.....	584-31-SA	Magna Fuel Oil Burner.....	197-33-SA
Faultless Oil Burner.....	493-24-SA	Majestic Oil Burner.....	693-30-SA
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Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA	Master Fuel Oil Burner.....	350-32-SA
Fluid Heat Oil Burner.....	361-32-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
May Oil Burner.....	68-24-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
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Mayfield Oil Burner.....	568-31-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Mayflower Oil Burner.....	124-29-SA	Security Oil Burner.....	56-28-SA
McIlvane Oil Burner.....	544-29-SA	Shepard Oil Burner.....	563-30-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Shill Oil Burner.....	315-30-SA
Merco Oil Burner.....	637-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Oil Burner.....	458-26-SA
Morrissey Oil Burner.....	673-27-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Automatic Burner, Model "E".....	710-30-SA
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Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Glow Oil Burner, Models 800, 1000, 1800 and 2800	345-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Mousette Oil Burner.....	887-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
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Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
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Nu-Way Oil Burner.....	773-26-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Oilbuilt Burner	85-33-SA	Sun Heat Oil Burner.....	603-29-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Oronogue Oil Burner.....	394-30-SA	Sunway Oil Burner.....	624-30-SA
Orr Fuel Oil Burner.....	113-26-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
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Paramount Oil Burner, Model A.....	617-30-SA	Superheat Oil Burner, Model D.....	254-33-SA
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Petro Domestic Burner.....	161-26-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Petro Model T Oil Burner.....	451-31-SA	Thoroburn Oil Burner, Model A-1-16-G....	269-33-SA
Petro Model W Oil Burner.....	452-31-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Burner, Model O.....	78-28-SA	Timken Rotary Oil Burner.....	297-29-SA
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Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Universal Fuel Oil Burner.....	6-24-SA
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Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victor Oil Burner.....	612-30-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Victory Oil Burner.....	320-30-SA
Rayfield Oil Burner.....	504-26-SA	Viking Oil Burner.....	396-32-SA
Real Host Oil Burner.....	38-34-SA	Volcano Automatic Oil Burner.....	556-29-SA
Re-Ly-On Oil Burner.....	745-26-SA	Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2.....	341-33-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Warner Oil Burner, Model A.....	16-34-SA
Remington Oil Burner.....	891-26-SA	Wayne Oil Burner.....	1155-25-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Wheco Oil Burner.....	108-34-SA
Rickard Oil Burner.....	1011-27-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB and R.....	918-22-SA
Rotoflame Oil Burner.....	187-33-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	Wizard Automatic Oil Burner.....	181-33-SA
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PROGRESS REPORT

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Requests for modification granted.....	1
Requests for modification denied.....	0
Requests to rescind granted.....	0
Requests to rescind denied.....	0
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Requests for extension of time denied.....	0
Requests for extension of permit granted.....	12
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Requests to install granted.....	0
Requests to install denied.....	0
Plans approved	11
Plans disapproved	0
Administrative requests granted.....	0
Administrative requests denied or withdrawn.....	0
Interpretations	1
Requests withdrawn or dismissed.....	10

Total..... 664

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—

- Docket.
- Call of Clerk's Calendar.
- Notices in Building Zone Cases.
- The Trial Calendar.
- Approved Fuel Oil Pumps.
- Approved Burners for Domestic and Industrial Use.
- Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 10, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 17, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to September 5, 1934

Cal. No.	Department.	Premises Affected.
251-34-SA.....	F.D.....	No-Wyck Range & Stove Oil Burner, Appliance.
250-34-SA.....	F.D.....	A.B.C. Range Burner Assemblies Models AS-4, AS-6, AD-6, AS-9 and Water Heater Assembly Model A-3798, Appliance.
249-34-SA.....	F.D.....	A.B.C. Automatic Water Heater Model FA-9, Appliance.
248-34-A.....	D.B.M....	343-345 Madison ave. (Block 1279, Lots 22 and 23), Manhattan, 16088-F.
247-34-BZ.....	D.B.B....	1546 St. Marks ave. (Block 1459, Lot 18), Brooklyn. Applic. 8916-34.
246-34-A.....	F.D.....	525 East 68th st. (Block 1480 to 1482, Part of Lot 1); (New York Hospital), Manhattan. 3956-LC.
245-34-A.....	D.B.Q....	42-22 to 42-38 Vernon blvd. (Block 484, Lot 23), L. I. City, Queens. N.B. 863-34.
244-34-S.....	D.B.M....	115-117 Fulton st. and 52-56 Ann st. (Block 91, Lot 7), Manhattan. 13912-LF and 13913-LF.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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	Last Publication in Bulletin
Certificate of Occupancy, approved forms.....	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	July 24, 1934—Vol. 19 No. 30
Elevator Rules.....	July 3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept. 26, 1933—Vol. 18 No. 39
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Refrigerating Systems, Extract C. O. Feb. 13, 1934—Vol. 19 No. 7	
Smoking in Factories, Rules for.....	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules.....	Jan. 16, 1934—Vol. 19 No. 3
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Structural Alterations, Reporting.....	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	July 17, 1934—Vol. 19 No. 29
Fuel Oil Burners for Domestic and Commercial Use.....	Sept. 11, 1934—Vol. 19 No. 37
Fuel Oil Burners for Industrial Use.....	Aug. 14, 1934—Vol. 19 No. 33
Fuel Oil Pumps.....	Sept. 11, 1934—Vol. 19 No. 37
Paint, Varnish and Lacquer Spraying Equipment.....	Apr. 17, 1934—Vol. 19 No. 16

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 10, 1934. AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

PREMISES—North side of 84th Drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 65), Forest Hills, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a residence district the maintenance of an existing shed for the storage of lumber.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

PREMISES—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT the amendment of a resolution adopted by the Board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

SEPTEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, September 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CALENDAR

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1934, 2 P. M.

Appeals from Administrative Orders.

173-34-A—East side of Whitlock avenue, 200 ft. south of Westchester avenue (Block No. 2759, Lot No. 136), The Bronx.

175-34-A—544-550 5th avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Brooklyn.

Petitions for Variation.

190-34-S—1-25 Junius street and 1738-1744 East New York avenue, southwest corner (Block No. 3679, part of Lot No. 12), Brooklyn.

199-34-S—120-124 Pearl street and 80-82 York street (Block No. 63, Lot No. 5), Brooklyn.

Appliances Submitted for Approval

156-34-SA—Allen's Siamese Connections for Fire Department use.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

197-34-SA—Biltwell Range Oil Burner, Models B-1 and B-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

73-34-BZ

APPLICANT—Michael Levine, for Karron and Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5 $\frac{3}{8}$ " south of 20th avenue (Block No. 5464, part of Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 19, 1934),

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied.

158-34-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

177-34-BZ

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

PREMISES—South side of Flushing avenue, 106' west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed building for the storage of wagons.

185-34-BZ

APPLICANT—Samuels and Samuels, for Ben H. Sanders and Henry A. Doten, owners.

PREMISES—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance

CALENDAR

of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzel, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1934. 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolu-

tion, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ

APPLICANT—Max Klein, for Max Tharler, owner.

PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, Septem-*

CALENDAR

ber 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for

Avonzel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA	Gar Wood Oil Burner.....	373-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Alida Oil Burner.....	124-34-SA	General Electric Fuel Oil Burner.....	434-32-SA
Arcoil Heat Machine.....	632-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Auto-Heat Oil Burner.....	284-33-SA	Ghapco Steam Generator.....	348-31-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gill Oil Burner.....	1231-23-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Berggren Oil Burner.....	764-26-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner.....	731-28-SA	Gulf Oil Burner.....	382-26-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner.....	813-25-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner.....	1162-24-SA
Branford Oil Burner.....	36-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner	696-30-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heatiator Oil Burner.....	1346-23-SA
Caloroil Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Model J.....	229-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Carborundum Burner	571-29-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Carter-Korth Oil Burner	54-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Century Oil Burner.....	157-28-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Challenger Oil Burner, Model "A".....	86-34-SA	Inferno Oil Burner.....	82-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	International Mechanical Draft Oil Burner...	372-30-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	International Oil Burner.....	1305-24-SA
Cook's Automatic Oil Burner.....	955-27-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Crescent Oil Burner	222-29-SA	Joyce Oil Burner.....	852-26-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	K. F. C. Oil Burner.....	846-25-SA
Crown Oil Burner, Type XA.....	426-29-SA	Kelco Oil Burner.....	237-33-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Kelvinator Oil Burner.....	339-31-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
D'Elia Oil Burner.....	155-31-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Delco Heat Oil Burner.....	420-31-SA	Kleen Heet Oil Burner.....	62-24-SA
DeWalt Oil Burner.....	541-31-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
Dist-o-matic Oil Burner.....	663-28-SA	Kreager Oil Burner.....	367-30-SA
Doe Oil Burner.....	317-31-SA	Kres-Kno Oil Burner.....	443-28-SA
Doherty Oil Burner.....	943-26-SA	Laco Oil Burner, Model NL.....	670-30-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	Lange Economical Oil Burner.....	355-33-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Lawrence May Oil Burner.....	1034-27-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Leader Oil Burner.....	425-31-SA
Ember-Glo Oil Burner.....	462-32-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Loneragan Automatic Oil Burner.....	208-33-SA
Espo Oil Gas Burner.....	1431-23-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Evenheet Oil Burner.....	554-32-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
Everedy Oil Burner.....	102-33-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Fairfield Oil Burner.....	584-31-SA	Magna Fuel Oil Burner.....	197-33-SA
Faultless Oil Burner.....	493-24-SA	Majestic Oil Burner.....	693-30-SA
Florence Oil Heater, Model KC-9.....	62-33-SA	Marr Oil Heat Machine.....	765-26-SA
Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA	Master Fuel Oil Burner.....	350-32-SA
Fluid Heat Oil Burner.....	361-32-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
May Oil Burner.....	68-24-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
May Oil Burner, Type BB.....	46-34-SA	Schulze Home Oil Burner.....	1487-23-SA
Mayfield Oil Burner.....	568-31-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Mayflower Oil Burner.....	124-29-SA	Security Oil Burner.....	56-28-SA
McIlvane Oil Burner.....	544-29-SA	Shepard Oil Burner.....	563-30-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Shill Oil Burner.....	315-30-SA
Merco Oil Burner.....	637-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Oil Burner.....	458-26-SA
Morrissey Oil Burner.....	673-27-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Glow Oil Burner, Models 800, 1000, 1800 and 2800	345-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Mousette Oil Burner.....	887-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Airoil Low Pressure Burner.....	186-29-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Rotary Oil Burner.....	836-25-SA	Standardyne Oil Burner.....	34-34-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
New Process Oil Burner.....	1071-27-SA	Stuhler Oil Burner.....	618-27-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Summerheat Oil Burner.....	581-26-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Nokol Automatic Burner.....	1078-24-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Nu-Way Oil Burner.....	773-26-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Oilbuilt Burner	85-33-SA	Sun Heat Oil Burner.....	603-29-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Oronoke Oil Burner.....	394-30-SA	Sunway Oil Burner.....	624-30-SA
Orr Fuel Oil Burner.....	113-26-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Packard Fuel Oil Burner.....	77-34-SA	Superfex Oil Burning Heater.....	491-31-SA
Paramount Oil Burner.....	1193-25-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Paramount Oil Burner, Model A.....	617-30-SA	Superheat Oil Burner, Model D.....	254-33-SA
Pascoe Oil Burner.....	1029-26-SA	Sword Automatic Oil Burner.....	951-25-SA
Petro Domestic Burner.....	161-26-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Petro Model T Oil Burner.....	451-31-SA	Thorburn Oil Burner, Model A-1-16-G....	269-33-SA
Petro Model W Oil Burner.....	452-31-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Burner, Model O.....	78-28-SA	Timken Rotary Oil Burner.....	297-29-SA
Petro Burner, Model P-2.....	735-30-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
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Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Toridheet Oil Burner.....	63-28-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Powerlight Oilheat Burner.....	628-23-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	United States Oil Burner.....	620-28-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Universal Fuel Oil Burner.....	6-24-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Vaporoil Burner	44-32-SA
Quaker Burnoil Stove.....	11-31-SA	Vesta Oil Burner.....	451-26-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victor Oil Burner.....	612-30-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Victory Oil Burner.....	320-30-SA
Rayfield Oil Burner.....	504-26-SA	Viking Oil Burner.....	396-32-SA
Real Host Oil Burner.....	38-34-SA	Volcano Automatic Oil Burner.....	556-29-SA
Re-Ly-On Oil Burner.....	745-26-SA	Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2.....	341-33-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Warner Oil Burner, Model A.....	16-34-SA
Remington Oil Burner.....	891-26-SA	Wayne Oil Burner.....	1155-25-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Wheco Oil Burner.....	108-34-SA
Rickard Oil Burner.....	1011-27-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB and R.....	918-22-SA
Rotoflame Oil Burner.....	187-33-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	Wizard Automatic Oil Burner.....	181-33-SA
S & K Wide Range Fuel Oil Burner.....	10-33-SA	York Automatic Oil Burner.....	44-29-SA
S-K Oil Burner, Model F.....	369-33-SA		
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA		

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	31
Cases filed up to September 5, 1934.....	251	Dismissed	13
Restored to Calendar.....	61	Denied	90
		Granted	0
		Granted on condition.....	129
		Appliances approved	41
		Appliances dismissed, disapproved or withdrawn....	28
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
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Requests to amend.....	69	Requests to reopen denied.....	15
Requests for modification.....	1	Requests to amend granted.....	69
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	38	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	38
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	855	Requests for extension of permit granted.....	12
Disposed of	664	Requests for extension of permit denied.....	0
Cases pending September 5, 1934.....	191	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	10
		Total.....	664

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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SEP 27 1934

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, September 11, 1934, at 2 P. M.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 17, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 24, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to September 12, 1934.

Cal. No. Department. Premises Affected.

263-34-SA.....F.D.....Lonergan Oil Burning Heater, Appliance.

262-34-BZ.....D.B.R....1111 Forest ave., N.W. cor. Greenleaf ave. (Block 235, Lot 47), West New Brighton, Richmond. N.B. 125-34.

261-34-BZ.....D.B.Q....93-28 New York ave. (Block 1052, Lots 41 and 43), Jamaica, Queens. Plan No. 1380-34.

260-34-A.....D.B.M...1491 Lexington ave. and 151 East 96th st., N.E. corner (Block 1624, Lot 20), Manhattan. F.P. Applic. 413-34.

259-34-A.....D.B.M...141-145 West 36th st. (Block 812, Lot 16), Manhattan. 3332-F and 3333-F.

258-34-BZ.....D.B.Bx..2230 Grand Concourse, 201 E. 182nd st., N.E. corner (Block 3158, Lot 1), The Bronx. Decision.

257-34-A.....D.B.M...211 East 48th st. (Block 1322, Lot 7½), Manhattan. Viol. No. 3995-34.

256-34-SA.....D.B....Standard One - Piece Closet Combination, Appliance.

255-34-A.....D.B.M...109 East 73rd st. (Block 1408, Lot 7), Manhattan. Alt. 1393-34.

254-34-BZ.....D.B.Q...168-22 91st ave., S.S., 179 ft. west of 169th st. (Block 885, Lot 39), Jamaica, Queens. Plan No. 4905.

253-34-BZ.....D.B.Bx..2281-2299 Westchester ave., 1400-1410 Doris st. and 1401-1413 Glover st. (Block 3965, Lots 35 to 40), The Bronx. N.B. 180-34.

252-34-A.....F.D.....1410 Bedford ave. (Block 1224, Lot 45), Brooklyn. 65205-LC.

Restored to Calendar

262-32-BZ.....D.B.R....S.W. cor. Wyona ave. and Willowbrook rd. (Block 2099, Lots 29, 30 and 31), Port Richmond, Richmond. N.B. 254-1932.

592-31-SA.....F.D.....Crescent Oil Burner, Models No. 8, No. 18 and No. 28, Appliance.

491-31-SA.....F.D.....Superfex Oil Burner Heater, Appliance.

118-30-BZ.....D.B.Bx..N.E. cor. Allerton ave. and Eastchester rd. (Block 4534 Lot 12), The Bronx. Decision.

460-26-BZ.....D.B.B...4921-4923 5th ave., 514-534 49th st. and 513-533 50th st. (Block 784, Lot 2), Brooklyn. Applic. No. 7685-1934.

1249-22-SA.....F.D.....Coen Steam Atomizing Oil Burner, Appliance.

CODE

F.D.....Fire Department
H.D.....Health Department
D.B.B.....Department of Buildings, Brooklyn
D.B.M.....Department of Buildings, Manhattan
D.B.Q.....Department of Buildings, Queens
D.B.R.....Department of Buildings, Richmond
D.B.Br.....Department of Buildings, Bronx
T.H.D.....Tenement House Department

RULES

		Last Publication in Bulletin	
Certificate of Occupancy, approved forms	Aug.	2, 1932—Vol. 17	No. 31
Concrete Flat Slabs, Rules	June	6, 1933—Vol. 18	No. 23
Concrete Rules (Hydrated Lime)	July	24, 1934—Vol. 19	No. 30
Elevator Rules	July	3, 1934—Vol. 19	No. 27
Exit Rules (Revolving Doors)	Nov.	14, 1933—Vol. 18	No. 46
Factory Exit Rules	Nov.	14, 1933—Vol. 18	No. 46
Fire Alarm Rules (Interior)	Sept.	26, 1933—Vol. 18	No. 39
Fire Drill Rules	May	30, 1933—Vol. 18	No. 22
Fire Retarding Rules for Garages, etc.	Nov.	28, 1933—Vol. 18	No. 48
Fireproof Wood, Testing of	Apr.	10, 1934—Vol. 19	No. 15
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4	No. 3
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10	No. 14
Hatchway Protection	June	5, 1928—Vol. 13	No. 23
Oil Burner Rules	Aug.	14, 1934—Vol. 19	No. 35
Paint, Varnish and Lacquer Spraying Rules	Apr.	17, 1934—Vol. 19	No. 16
Plumbing Rules	July	17, 1934—Vol. 19	No. 29
Procedure, Rules of	June	20, 1933—Vol. 18	No. 25
Refrigerating Systems, Extract C. O.	Feb.	13, 1934—Vol. 19	No. 7
Smoking in Factories, Rules for	Dec.	5, 1933—Vol. 18	No. 49
Sprinkler Rules	Jan.	16, 1934—Vol. 19	No. 3
Standpipe-Fireline Rules	Sept.	26, 1933—Vol. 18	No. 39
Structural Alterations, Reporting	June	7, 1932—Vol. 17	No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8	No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves	Sept.	18, 1934—Vol. 19	No. 38
Fuel Oil Burners for Domestic and Commercial Use	Sept.	11, 1934—Vol. 19	No. 37
Fuel Oil Burners for Industrial Use	Aug.	14, 1934—Vol. 19	No. 33
Fuel Oil Pumps	Sept.	18, 1934—Vol. 19	No. 38
Paint, Varnish and Lacquer Spraying Equipment	Apr.	17, 1934—Vol. 19	No. 16

OPINIONS OF CORPORATION COUNSEL

CITY OF NEW YORK

LAW DEPARTMENT

OFFICE OF THE CORPORATION COUNSEL

New York, September 7, 1934.

PAUL WINDELS,
Corporation Counsel.

HON. JOHN J. McELLIGOTT,
Fire Chief and Commissioner.

Sir:

I have received your communication dated April 16, 1934, which reads as follows:

CALENDAR

"After the enactment of the McCall Bill, Chapter 764, Laws of 1933, the former Corporation Counsel, Hon. Arthur J. W. Hilly, rendered an opinion on June 15, 1933, known as 'No. 49012' and reading in part, as follows:

"The Legislature, however, reserved to the Fire Commissioner the powers enumerated in sub. div. 2 of Section 774 of the Greater New York Charter, i.e.,

"To enforce all laws and ordinances and regulations of the Board of Standards and Appeals in respect to the storage, sale, transportation or use of combustibles, chemicals and explosives".

It is my opinion, therefore, that the Legislature did not intend to transfer such of the personnel, records or monies of the Bureau of Fire Prevention necessary to exercise these powers. As there was always an office division in the Bureau of Fire Prevention prior to the enactment of the law, known and designated by the office title of 'Bureau of Combustibles', that part of the personnel of the Bureau of Fire Prevention so known, together with all records, papers, etc., and monies necessary to properly enforce the provisions of sub. div. 2 of S-774 of the Greater New York Charter, are to be retained in your Department. *You, therefore, have authority to reorganize this personnel as a bureau of Combustibles and assign to it such portion of the personnel of the Bureau of Fire Prevention as is necessary to properly conduct such Bureau in the enforcement of the provisions of Chapter 10 of the Code of Ordinances, and of SS-24, 25, 26, 27, 28, 29, 30 and 30-a of Chapter 12 of the Code of Ordinances, which read as follows:.....*

On December 8, 1933, the former Corporation Counsel, Hon. Arthur J. W. Hilly, on the same subject matter, in an opinion to the Honorable Samuel Fassler, Commissioner of Buildings, Borough of Manhattan, supplemented his former opinion, referred to above, in part, stating as follows:

"To affect such purpose S-408 of the law transfers to the various commissioners of buildings throughout the city, the personnel of the Bureau of Fire Prevention, except those necessary to carry out the provisions of sub. div. 2, S-774 of the Greater New York Charter....."

From these opinions it would appear that the Fire Commissioner is charged with and responsible for the enforcement of Chapter 10 of the Code of Ordinances and certain sections of Chapter 12, quoted above. However, on June 21, 1933, at a conference wherein it was to be determined the number of employees necessary to enforce the provisions of S-774-2 of the Greater New York Charter, at which the Hon. Samuel Fassler, Commissioner of Buildings, Borough of Manhattan, former Fire Commissioner John J. Dorman, Assistant Chief of Department Patrick Walsh, Inspector of Fire Prevention Thomas A. Larkin, Bureau of Fire Prevention, Hon. Arthur J. W. Hilly, former Corporation Counsel and, apparently, some Assistant Corporation Counsel were present, the former Corporation Counsel ruled, *verbally* that the Building Commissioners should supervise the testing and installation of tanks used for the storage of liquid products of petroleum, including volatile inflammable oils and, that after such tests were made by the Commissioners of Buildings, and after they were found to have been installed in accordance with the laws, the Commissioners of Buildings would then issue a Certificate of Occupancy to the Fire Department, and upon such certificate, the Bureau of Combustibles would then issue a permit for the storage of such oils.

This was objected to by Assistant Chief Walsh, in charge of the Bureau of Combustibles at that time.

Regarding the testing of these tanks, I respectfully invite attention to the fact that the testing of gasoline tanks comes under Section 131, Chapter 10 of the Code of Ordinances, reading as follows:

'Sec. 131-13. Tanks. Each tank used for the storage of volatile inflammable oil shall be—

A. Constructed of steel at least $\frac{1}{4}$ inch in thickness, shall have a capacity of not more than 1500 gallons, and shall, under test, stand a hydrostatic pressure of at least 100 pounds to the square inch. (Amended by ordinance effective May 25, 1915).'

Rule 7 of the rules of the Board of Standards and Appeals regarding the installation of fuel oil burners provides that tanks and piping to burner shall be tested hydrostatically or with oil at a pressure of not less than 10 pounds per square inch.....'

Section 131 of Chapter 10 of the Code of Ordinances prohibits the installation of any system for the storage of volatile inflammable oil in any building unless of a type for which a Certificate of Approval shall have been issued by the Fire Commissioner. This not only includes the tanks, but the pumps as well.

It appears to me that the verbal opinion of the former Corporation Counsel is at variance with the written opinions referred to above. Furthermore, as this Department issued the permits for the storage of these oils, it would appear to me that such permits should not be issued in a perfunctory manner but that the Fire Chief and Commissioner should have the power to test these tanks to see that they are reasonably safe, for the storage of such oils.

The storage of volatile and inflammable oils always presents a dangerous potential fire and explosive hazard and the Fire Department is responsible for the extinguishment of fires and protection of life and property in premises where such storage is maintained.

In view of the above it appears but logical that the testing of these containers for volatile and inflammable oils, and inspection of the fire protection and fire extinguishing systems, as required by Chapter 10 of the Code of Ordinances and rules of the Board of Standards and Appeals comes under the provision of Section 774-2 of the Greater New York Charter.

I therefore respectfully request to be advised, in view of the above and the written opinions of the former Corporation Counsel, if the Fire Department should test these tanks and inspect the required fire protection therefor".

It is my opinion that the powers of the Fire Commissioner, enumerated in subdivision 2 of Section 774 of the Greater New York Charter, have not been limited or modified in any way. Said subdivision of Section 774 reads as follows:

"To enforce all laws and ordinances and regulations of the Board of Standards and Appeals in respect to the storage, sale, transportation or use of combustibles, chemicals and explosives."

I have to advise you further that I disapprove of the verbal ruling of the former Corporation Counsel which you state was made on June 21, 1933, and to which you refer in your communication. There is no basis in law for a distinction between your duties with regard to liquid products of petroleum including volatile inflammable oils and other combustibles, and it would therefore be improper for you to issue any of your permits in a perfunctory manner upon the mere certification by the Commissioner of Buildings. In this respect I desire, specifically, to affirm the opinion of the Corporation Counsel referred to in your communication, and addressed to your predecessor on June 15, 1933.

CALENDAR

In answer to the specific question contained in the last paragraph of your communication, I have to advise you that in my opinion the Fire Department should test any containers or tanks for volatile and inflammable oils and should inspect the fire protection and fire extinguishing systems required therefor.

Truly yours,
(Signed) PAUL WINDELS,
Corporation Counsel.

* * *

CITY OF NEW YORK
LAW DEPARTMENT

OFFICE OF THE CORPORATION COUNSEL

New York, September 7, 1934.

PAUL WINDELS,
Corporation Counsel.
(#11104)
HON. JOHN J. McELLIGOTT,
Fire Chief and Commissioner.

Sir:

I am in receipt of your communication dated August 22, 1934, which reads as follows:

"Further to my communication to you dated April 16, 1934, regarding the authority retained by the Fire Department, concerning the testing and inspection of tanks and/or vessels containing inflammable or combustible liquids, which authority is in doubt due to the passage of Chapter 764 of the Laws of 1933 (McCall Act), may I not at this time invite your attention to an item published in the City Record of August 20, 1934 (copy attached), announcing the fact that a public hearing is to be held in room 2000, Municipal Building, Manhattan, on September 17, 1934, for the purpose of amending Fuel Oil Rules.

In inviting your attention to this notice, I am motivated by the thought that this contemplated action by the Board of Buildings is not in accordance with the law, my understanding of which is that it is incumbent upon the Board of Standards and Appeals, acting under authority of Section 718-a of the Greater New York Charter, [to make rules] to put into effect and to carry out the provisions of Chapter 10 of the Code of Ordinances.

Inasmuch as the Board of Standards and Appeals on June 15, 1934, after much research and many public hearings, amended, adopted and published in the Board's official bulletin, 'Rules covering the installation and use of oil burning equipment and the storage of oils in connection therewith,' which, I believe, I am legally bound to comply with, I would ask that you please advise me as to my course of action in the event of the adoption, in toto, of the changes proposed in the published notice of the Board of Buildings contained in the attached copy of the City Record, and particularly those sections thereof indicated as Rule 5 and Rule 6.

I would very much appreciate a ruling upon this, as well as on the subject matter of my letter to you, dated April 16, 1934, as expeditiously as possible, in view of the hazards to life and property in connection therewith.

I am also forwarding herewith a copy of the official bulletin of the Board of Standards and Appeals of June 19, 1934, which bulletin contains the publication of the amended Fuel Oil Rules."

I have read the proposed rules of the Board of Buildings as published in the City Record of August 20, 1934. After a review of the legal authorities applicable thereto, it is my opinion that Chapter 764 of the Laws of 1933, known as the McCall Bill, has not furnished any sanction for the modification or annulment of any of the

rules of the Board of Standards and Appeals by the Board of Buildings. Insofar as the proposed rules of the Board of Buildings purport to supersede the rules of the Board of Standards and Appeals, they are unauthorized by law.

I am sending you a separate communication with respect to your request for advice contained in your letter of April 16, 1934.

Truly yours,
(Signed) PAUL WINDELS,
Corporation Counsel.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

73-34-BZ

APPLICANT—Michael Levine, for Karron and Lieberman, Inc., owner.

PREMISES—1140-1158 McDonald avenue (Gravesend avenue), west side, 63'5 $\frac{3}{8}$ " south of 20th avenue (Block No. 5464, part of Lot No. 15), Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 19, 1934),

TO PERMIT in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied.

158-34-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station.

177-34-BZ

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

PREMISES—South side of Flushing avenue, 106' west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT the extension from a business district into a residence district of a proposed building for the storage of wagons.

185-34-BZ

APPLICANT—Samuels and Samuels, for Ben H. Sanders and Henry A. Doten, owners.

PREMISES—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

SEPTEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday morning*, September 18, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzel, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 18, 1934. 2 P. M.

Appeals from Administrative Orders.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

175-34-A—544-550 5th avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Brooklyn.

209-34-A—2-12 Taylor street (Block No. 2174, Lot No. 14), Brooklyn.

210-34-A—Pier, Foot of 155th street and North River, Manhattan.

217-34-A—Barge in Atlantic Ocean, 1,000 ft. off shore, foot of Beach 97th to 100th streets, Rockaway Beach, Queens.

Appliances Submitted for Approval

219-34-SA—Florence Range Burners.

224-34-SA—Progressive Press Machine Oil Burner.

226-34-SA—Norge Oil Burner.

234-34-SA—Bland Range Oil Burner.

236-34-SA—Air-O-Flame Range Burners.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon*, September 18, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ

APPLICANT—Max Klein, for Max Tharler, owner.

PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.

CALENDAR

APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

168-34-BZ.

APPLICANT—Philip Schmeizer (Lessee), for Ida M. Melton, owner.

PREMISES—South side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution,

of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

CAL. NO. 160-34-BZ—Application, June 12, 1934, under sections 7c and 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Architect Building Corporation, owner, to permit in a residence district the maintenance of an existing shed for the storage of lumber; premises north side of 84th drive, 100 ft. east of Queens boulevard (block No. 710, Lot No. 64), Forest Hills, Borough of Queens.

CAL. NO. 229-33-BZ—Application of Lama and Proskauer, for Autumn Goodis, owner, reopened June 5, 1934, under section 21 of the building zone resolution, to permit the amendment of a resolution adopted by the board on November 21, 1933, permitting, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station; premises 130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

HARRIS H. MURDOCK, (*chairman*).

SEPTEMBER 25, 1934, 2 P. M.

Appeals from Administrative Orders

220-34-A—531-541 West 23rd street (Block No. 695, part of Lot No. 15), Manhattan.

225-34-A—60-74 Columbus avenue (Block No. 1134, Lot No. 29), Manhattan.

228-34-A—892-896 Bergen street (Block No. 1149, Lot No. 24), Brooklyn.

239-34-A—552 West 55th street and 794 11th avenue, southeast corner (Block No. 1083, Lot No. 61), Manhattan.

Petition for Variation

235-34-S—290 Fifth avenue (Block No. 832, Lot No. 43), Manhattan.

CALENDAR

Appliances Submitted for Approval

250-34-SA—A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6 and AS-9 and A-3798 Water Heater Assembly.

256-34-SA—"Standard" One-Piece Closet Combination.

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 1, 1934, AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

126-34-BZ.

APPLICANT—Philip Schneider, for Sarah Feinman, owner.

PREMISES—609 Snediker avenue (Block No. 3851, Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the maintenance of a motor vehicle repair shop.

159-34-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Southwest corner of East Fordham road and Arthur avenue (Block No. 3067, Lot Nos. 54 and 56), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the extension of an existing gasoline service station.

180-34-BZ.

APPLICANT—Christensen Engineering Co., Inc., for Kazimer Wajda, owner.

PREMISES—Southwest corner of 123rd avenue and Sutphin boulevard (Block No. 2831, Lot No. 71), Jamaica, Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

206-34-BZ.

APPLICANT—Clelia D'Allessandro, for Mary Picerno, owner.

PREMISES—Southwest corner of Jewett avenue and Castleton avenue (Block No. 1026, Lot No. 47), Port Richmond, Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

229-34-BZ.

APPLICANT—Edgar J. Moeller, for John McCluskey, owner.

PREMISES—531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a repair shop for motor vehicles in connection with an automobile sales building.

OCTOBER 9, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 9, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 23, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 262-32-BZ—Application of Edward J. Walsh and Mary Walsh, owners, reopened September 11, 1934, under section 7f of the building zone resolution for consideration as to extension of permit—re Application, permitting in a business district the erection and maintenance of a gasoline service station for a temporary period of two (2) years; premises southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 11, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, July 17, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, July 17, 1934, were approved as printed in Bulletin No. 30, Vol. No. XIX.

BUILDING ZONE CASES.

121-34-BZ.

APPLICANT—Meyer Wilen, for Novick Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North side of Northern boulevard, 108.78 ft. west of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

APPEARANCES—

For Applicant: Frank J. Derrick.

For Opposition: T. L. Reidenbach, L. Dengler and George F. Crowley.

ACTION OF BOARD—Laid over to September 25, 1934, at 10 a. m., on request of applicant's representative.

161-30-BZ.

APPLICANT—Alfred J. Parsons, for Elsie Parsons, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to Calendar April 24, 1934).

PREMISES AFFECTED—Southeast corner of Astoria avenue and 42nd street (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred J. Parsons.

For Opposition: None.

ACTION OF BOARD—Laid over to October 23, 1934, at 2 p. m., for report of committee on inspection.

29-34-BZ.

APPLICANT—Norman L. Adolf, for Rose Metchik, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Dorothea Banks.

For Opposition: Mr. Zwirn.

ACTION OF BOARD—Laid over to October 9, 1934, at 10 a. m., on request of applicant's representative.

123-34-BZ.

APPLICANT—Michael Glick, for Harry Weissberg, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: Thomas A. Reilly, John Badaracco and C. W. Schnidke.

ACTION OF BOARD—Laid over to September 25, 1934, at 10 a. m., on written request of applicant.

262-32-BZ.

APPLICANT—Edward J. Walsh, for Edward J. Walsh and Mary Walsh, owner.

SUBJECT—Request for reopening—extension of permit—re Application (decision of the superintendent of buildings) under section 7f of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Edward J. Walsh.

ACTION OF BOARD—Application reopened and laid over to October 23, 1934, at 2 p. m., for report of committee on inspection.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

460-26-BZ.

APPLICANT—Thomas W. Lamb, Inc., for Brooklyn Ridgewood Corp., present owner.

SUBJECT—Application for reopening—reconsideration—re (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit in a residence district extending from a business district the erection and maintenance of a theatre; previously granted by the board, and time to complete building has expired.

PREMISES AFFECTED—4921-4923 Fifth avenue, 514-534 49th street and 513-33 50th street (Block No. 784, Lot No. 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. Henry Walters.

ACTION OF BOARD—Application reopened subject to usual procedure, calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

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168-34-BZ.

APPLICANT—Philip Schmeizer (Lessee), for Ida M. Melton, owner.

SUBJECT—Request—preferential hearing—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—South side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request for preferential hearing withdrawn.

THE VOTE TO WITHDRAW REQUEST FOR PREFERENTIAL HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

717-29-BZ.

APPLICANT—Henry C. Brucker, Architect, for Metz Auto Sales & Laundry Co., Inc., owner.

SUBJECT—Request for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 7e of the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—84-94 129th street and 127-15 Metropolitan avenue, northwest corner (Block No. 156, Lot No. 52), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Adam Metz.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(717-29-BZ)

WHEREAS, this application affecting premises 84-94 129th street and 127-15 Metropolitan avenue, northwest corner (Block No. 156, Lot No. 52), Richmond Hill, Borough of Queens, was granted by the board at its meeting March 18, 1930, on certain conditions, and time extended May 12, 1931, September 23, 1932 and September 12, 1933, and the applicant requests a further extension of time.

Resolved, that the resolution adopted by the board March 18, 1930, as amended by resolution adopted May 12, 1931, September 23, 1932 and September 12, 1933, be and it hereby is amended only so far as relates to the time for completion of the work, in view of the statement made by the representative of the applicant that all necessary permits from city departments have been obtained, so that as amended the last clause of the resolution will read:

"And all work involved thereby shall be completed within one year from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE ORDERS.

104-34-A.

APPELLANT—The Simoniz Company, Inc., for G. T. Parmelee, owner.

SUBJECT—Appeal from order of the fire commissioner. PREMISES AFFECTED—213 West 69th street (Block No. 1161, Lot No. 25½), Borough of Manhattan.

APPEARANCES—

For Appellant: None.

ACTION OF BOARD—Appeal withdrawn by written request, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

241-34-A.

APPELLANT—William Zinsser & Co., Inc., owner.

SUBJECT—Appeal from order of the fire commissioner. PREMISES AFFECTED—513-519 West 58th street (Block No. 1087, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Appellant: None.

ACTION OF BOARD—Appeal withdrawn by written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

PETITION FOR VARIATION.

390-29-S.

PETITIONER—C. B. Hubbard Co., Inc., for Alfred B. Maclay and George D. Cochran, present owners.

SUBJECT—Application for reopening—amendment of resolution re—variation of the labor law as cited in a decision of the superintendent of buildings.

PREMISES AFFECTED—48-50 West 57th street (Block No. 1272, Lot No. 67), Borough of Manhattan.

APPEARANCES—

For Petitioner: C. B. Hubbard.
For Administration: None.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(390-29-S)

WHEREAS, this petition affecting premises 48-50 West 57th street (Block No. 1272, Lot No. 67), Borough of Manhattan, was granted by the board November 26, 1929, on certain conditions, and owner requests an amendment of the resolution.

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Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the labor law and that the petition be and it hereby is *granted* only so far as it affects the windows facing West 57th street on the first, second and third stories, *on condition* that the windows and those stories shall be constructed of approved metal frames and sash and glazed with plate glass not less than ¼-in. in thickness; that no window on the third story shall exceed 5 ft. 10 in. in width and no movable window

in the second story shall exceed 6 ft. in width, permitting the central fixed metal window to be not over 12 ft., 4 in. in width; that there shall be no manufacturing permitted on these two floors and that the building shall otherwise comply with the labor law in all respects.

Adjourned, 11:15 a. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 11, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

118-30-BZ.

APPLICANT—Samuels & Samuels, for Sadye Hydecker, owner.

SUBJECT—Application for reopening—consideration under section 7f—re Application (decision of the superintendent of buildings) to permit in a business district the erection and maintenance of a gasoline service station. (Previously denied under section 21.)

PREMISES AFFECTED—Northeast corner of Allerton avenue and Eastchester road (Block No. 4534, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel S. Feinberg.

ACTION OF BOARD—Application reopened, under section 7f, subject to calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Kidney	4
Negative	0
Absent	0

468-27-BZ.

APPLICANT—Conroy and Hardy for Hazel R. Dunkum, owner.

SUBJECT—Request for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—6414-6424 Fort Hamilton parkway (Block No. 5743, Lot Nos. 26 and 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request to reopen—dismissed for lack of prosecution.

THE VOTE TO DISMISS FOR LACK OF PROSECUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(468-27-BZ)

WHEREAS, this application affecting premises 6414-6424 Fort Hamilton parkway (Block No. 5743, Lot Nos. 26 and 28), Borough of Brooklyn, was granted by the board on certain conditions, and owner, through his attorneys, requested an amendment of the resolution; and

WHEREAS, this matter has been adjourned from time to time as original resolution has not been fully complied with and no one appeared when this case was called at this hearing.

Resolved, that the request to reopen this application be and it hereby is *dismissed for lack of prosecution*.

APPEALS FROM ADMINISTRATIVE ORDERS.

175-34-A.

APPELLANT—J. H. McDowell, for Germain Stores, Inc., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—544-550 Fifth avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Borough of Brooklyn.

APPEARANCES—

For Appellant: None.

For Administration: None.

ACTION OF BOARD—Laid over to September 18, 1934, at 2 p. m.

173-34-A.

APPELLANT—Metropolitan Pool, Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—East side of Whitlock avenue, 200 ft. south of Westchester avenue (Block No. 2759, Lot No. 136), Borough of The Bronx.

APPEARANCES—

For Appellant: Louis Fridiger.

For Administration: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(173-34-A)

WHEREAS, Metropolitan Pool, Inc., Lessee, filed June 20, 1934, an appeal from an order and a decision of the fire commissioner, affecting premises east side of Whitlock

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avenue, 200 ft. south of Westchester avenue (Block No. 2759, Lot No. 136), Borough of The Bronx; and

WHEREAS, the order and decision of the fire commissioner, reads:

"June 9, 1934.

"The following is a copy of order requested by you:

"Order No. 75189-LC. Issued July 18, 1932.

"For the reason sec. 214-A, sub. div. 4-F prohibits the issuance of such permit in a place of public amusement or assembly.

"YOU ARE THEREFORE, HEREBY ORDERED TO:

"1—Discontinue the storage or use of liquified chlorine on these premises. Sec. 214-a-1, chapter 10, code of ordinances."

and

WHEREAS, the premises consist of a lot 737 ft. by 100 ft. irregular in depth, upon which is erected a handball court, swimming pool, two-story non-fireproof locker house, a one-story concrete filter room, 28 ft. by 56 ft. in area; OCCUPIED as a place of public amusement, located within an unrestricted district; and

WHEREAS, the appellant claims there are no residences within the immediate vicinity of the premises in question; Whitlock avenue is occupied by garages, railroad tracks and the Bronx River are to the east; the filter room contains a river pump, two circulating pumps, a Wallace and Tiernan chlorinator and booster pump for the purpose of chlorinating the water in the swimming pool; it is proposed to store two 105 pound liquified chlorine cylinders in filter room, each cylinder to be immersed in a galvanized iron water tank, 18 in. in diameter by 42 in. in height, with a sprinkler head over each tank, manually controlled by an outside valve near entrance door; furthermore, the appellant contends the liquified chlorine will be mixed in accordance with the requirements of the Board of Health; a gas mask will be provided and all safety precautions will be taken during operation.

Resolved, that the order of the fire commissioner, No. 75189-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the use and storage of liquified chlorine, *on condition* that there shall be at no time more than two tanks, each tank containing not more than 105 pounds; that each tank shall be fully submerged in water at all times in metal submerging tank; that the building in which these chlorine tanks are installed shall be of fireproof construction, not over one story in height, as indicated on the plans filed with this appeal, with no openings therefrom to adjoining buildings and all openings to the outer air be made tight-fitting, with windows glazed with heavy ribbed glass; that there shall be installed over the chlorine tanks, shower heads or open sprinkler heads controlled by control valve on the outside of the building, these heads to be supplied by water from the street pressure through water main not less than 3 in. in diameter with branch to sprinklers not less than $\frac{3}{4}$ in. in diameter; that the chlorine shall be mixed with water by means of an approved mixing valve either of the Wallace & Tiernan or other approved make; that the equipment shall at all times be under the supervision of a person holding a certificate of fitness; that the regulations of the Department of Health shall be complied with and all other regulations applicable thereto; and that a gas mask suitable for use with chlorine gas shall be kept accessible within the enclosure at all times.

154-34-A.

APPELLANT—Lido Amusement Corporation, Lessee.

SUBJECT—Request for reopening—amendment—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—160 West 146th street (Block No. 2014, Lot No. 38), Borough of Manhattan.

APPEARANCES—

For Appellant: James R. Ashley.

For Administration: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(154-34-A)

WHEREAS, this appeal affecting premises 160 West 146th street (Block No. 2014, Lot No. 38), Borough of Manhattan, was granted by the board July 17, 1934, on certain conditions, and appellant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on July 17, 1934, be and it hereby is *amended*, so that as amended, it will read as follows:

"Resolved, that the order of the fire commissioner, No. 75619-LC, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that not more than two tanks of liquified chlorine shall be maintained on the premises; that each of these tanks shall contain not more than 105 pounds and that each shall be fully submerged at all times in a tank of water; that these tanks and the mixing equipment shall be maintained within a one-story fireproof building not larger in inside dimensions than 23 ft. by 62 ft.; that all openings to this enclosure shall be tight-fitting and that the windows opening to the outer air shall be fixed and glazed with wire glass or heavy ribbed glass; that there shall be installed on the underneath side of the roof, not less than two open sprinkler heads with the control valve located on the outside of the building, these sprinkler heads to be supplied with water from street service leading through a supply pipe not less than 1 in. in diameter; that the chlorine shall be mixed with water by means of a mixing valve of Wallace & Tiernan or other approved make, such valve to be located not lower than 2 ft. from the chlorine tank; that the equipment at all times shall be under the supervision of a person holding a certificate of fitness for this use; that the regulations of the Department of Health and all departments having jurisdiction applicable thereto shall be complied with in all other respects."

PETITIONS FOR VARIATIONS.

190-34-S.

PETITIONER—Rubenstein & Rosling, Continental Undergarment Company, lessee.

SUBJECT—Petition for variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—1-25 Junius street and 1738-1744 East New York avenue, southwest corner (Block No. 3679, part of Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Petitioner: None.

For Administration: Inspector Timothy Meagher of department of buildings.

ACTION OF BOARD—Petition granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(190-34-S)

WHEREAS, Rubenstein and Rosling, for Continental Undergarment Company, lessee, filed June 28, 1934, a petition for a variation from the requirements of the labor law as cited in an order and a decision of the commissioner of buildings, affecting premises 1-25 Junius street and 1738-1744 East New York avenue, southwest corner (Block No. 3679, part of Lot No. 12), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated May 16, 1934, re Order No. 2140-LD, reads:

"An inspection of premises 1-25 Junius street and 1738 East New York avenue, Borough of Brooklyn, shows that the following must be done to comply with section 278 of the labor law:

"1. Reduce the number of persons employed on the 6th story of the above premises so that same does not exceed 183 persons as per Occupancy notice posted on April 30, 1934."

and

WHEREAS, the decision of the commissioner of buildings, dated June 8, 1934, reads:

"In reply to your letter of June 6, 1934, advising that you have been retained by the owners to appeal from requirements of Order No. 2140-LD and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, twenty days, had elapsed, and request dismissal or re-issuance of the above order.

"You are advised that the order cannot be dismissed or reissued. Therefore your request is denied."

and

WHEREAS, the building is fireproof, 6 stories (72 ft.) in height, 200 ft. by 100 ft. in area; OCCUPIED as a tenant factory; cellar, storage, 10 persons; upper stories, manufacturing, 250 persons per story; located within an unrestricted district; EQUIPPED with a sprinkler system; EXITS: two interior fireproof stairways extending from the 1st story to roof, enclosed in fireproof partitions with fireproof doors at openings; and

WHEREAS, the petitioner (lessee of the 6th story) claims the building was erected in 1930, certificate of occupancy No. 59749, issued March 4, 1930, for factory use, permitting 250 persons per story; the building has fireproof floors and fireproof trim, equipped with a standpipe system, an approved sprinkler system covering 100 per cent floor area, fed from a 20,000-gallon gravity tank, and two 7,500-gallon pressure tanks; the owner proposes to install an adequate interior fire alarm system and hold fire drills; the petitioner contends that the existing certificate of occupancy permits 250 persons per story without an interior fire alarm system, the compliance with section 279 of the labor law as to interior fire alarm and fire drills would increase such occupancy to 295 persons per story; furthermore, the petitioner requests the board to permit an occupancy of 350 persons on the 6th (top) story as there is no danger or possibility of the top story occupants interfering with the flow of persons employed on the lower stories when using the stairs for exits.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the petition be and it hereby is *granted* as to Order No. 2140-LD *on condition* that the occupancy of the floor does not exceed that permitted under Certificate of Occupancy No. 59749, issued by the superintendent of buildings on March 4, 1930; and that the building in all respects shall comply with the labor law.

199-34-S.

PETITIONER—American Can Company, owner.

SUBJECT—Petition for variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—120-124 Pearl street and 80-82 York street (Block No. 63, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Petitioner: J. M. Didriksen.

For Administration: Inspector Timothy Meagher of department of buildings.

ACTION OF BOARD—Petition granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(199-34-S)

WHEREAS, American Can Company, owner, filed July 5, 1934, a petition for a variation from the requirements of the labor law as cited in an order of the commissioner of buildings, affecting premises 120-124 Pearl street and 80-82 York street (Block No. 63, Lot No. 5), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated June 15, 1934, re Order No. 2474-LD, reads:

"1. Provide a scuttle opening at least 2 ft. x 3 ft. in roof within each stair enclosure with a double rung iron ladder at least 18 ft. in width leading from top story to above scuttle openings in building 124-8 Pearl street.

"2. Extend the present stair enclosures around the stairways to 3 ft. above the roof in building No. 124-8 Pearl Street."

and

WHEREAS, the building is non-fireproof, 6 stories (70 ft.) in height, 100 ft. by 75 ft. in area; OCCUPIED: tenant factory; cellar and 1st story, storage, 3 persons; 2nd story, manufacture of cans, 8 persons; upper stories, tailors, 60 persons each story; located within an unrestricted district; EQUIPPED with a sprinkler system and a fire alarm signal system; EXITS: two interior wooden stairways extending from the 1st story to top story, enclosed in fire retarded partitions with fireproof doors at openings; a horizontal exit on each story at rear, north, leading to building at northwest; ROOFS of adjoining buildings: 14 ft. lower at west and north; and

WHEREAS, the petitioner claims the building was erected about 1884, there is a scuttle, 2 ft. by 3 ft. in the main roof over toilet room on top story at southwest corner, also a fireproof horizontal exit leading to building adjoining at west which has two interior stairways leading to the roof; the petitioner contends that the present conditions have existed during the past 50 years without a violation being recorded; as to item 2, it is not practical to extend the present fire resisting partitions above the roof due to exposure to the elements; furthermore, the petitioner proposes as to item 1, to provide a sign of 6-in. red letters over toilet door reading "Roof Exit."

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the petition be and it hereby is *granted* as to Order No. 2474-LD *on condition* that a scuttle not less than 2 ft. by 3 ft. with iron ladder leading thereto from the top stair landing shall be installed in the roof within the enclosure of the northerly stairway on Pearl street; that the stairways shall be enclosed throughout in fire-retarding material extending to the underneath side of the roof boarding; that all stairs shall extend to the cellar; and that the labor law shall be complied with in all other respects.

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APPLIANCES SUBMITTED FOR APPROVAL.

156-34-SA.

PETITIONER—Andrew L. Boerner, for W. D. Allen Mfg. Co., owner.

SUBJECT—Allen's Siamese Connections for Fire Department use, approval of.

APPEARANCES—

For petitioner: Samuel Burley.

ACTION OF BOARD—Petition placed on Reserve Calendar, and referred to Engineer of Board and Bureau of Combustibles, Fire Department, for test and report.

196-34-SA.

PETITIONER—W. B. Smith Whaley, Jr., owner.

SUBJECT—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2, approval of.

APPEARANCES—

For Petitioner: W. B. Smith Whaley, Jr.

ACTION OF BOARD—Petition placed on Reserve Calendar, and referred to Engineer of Board and Bureau of Combustibles, Fire Department, for test and report.

200-34-SA.

PETITIONER—David Kaufman, for Fox Engineering Co., owner.

SUBJECT—Fox Range Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, and referred to Engineer of Board and Bureau of Combustibles, Fire Department, for test and report.

202-34-SA.

PETITIONER—Monitor Oil Burner and Boiler Co., for Wm. Schumacher, owner.

SUBJECT—Monitor Oil Burner, approval of.

APPEARANCES—

For Petitioner: Howard Sawyer.

ACTION OF BOARD—Petition placed on Reserve Calendar, and referred to Engineer of Board and Bureau of Combustibles, Fire Department, for test and report.

203-34-SA.

PETITIONER—Joseph Cartelli, owner.

SUBJECT—King Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, and referred to Engineer of Board and Bureau of Combustibles, Fire Department, for test and report.

208-34-SA.

PETITIONER—Globe Burner Corp., owner.

SUBJECT—Globe Oil Burner Pump, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, and referred to Engineer of Board and Bureau of Combustibles, Fire Department, for test and report.

213-34-SA.

PETITIONER—Grant Manufacturing Corp., owner; G. Sivertsen, agent.

SUBJECT—Grant Syphon Breaker, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, and referred to Engineer of Board and Bureau of Combustibles, Fire Department, for test and report.

197-34-SA.

PETITIONER—W. B. Smith Whaley, Jr., owner.

SUBJECT—Biltwell Range Oil Burner, Models B-1 and B-2, approval of.

APPEARANCES—

For Petitioner: W. B. Smith Whaley, Jr.

ACTION OF BOARD—Petition withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

491-31-SA.

PETITIONER—Perfection Stove Co., owner.

SUBJECT—Superfex Oil Burning Heater—Application for reopening—re amendment to resolution.

APPEARANCES—

For Petitioner: B. J. Greenough.

ACTION OF BOARD—Petition reopened and placed on Reserve Calendar and referred to Engineer of the Board and Bureau of Combustibles, Fire Department, for report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

16-34-SA.

PETITIONER—J. H. Warner, owner.

SUBJECT—Request for reopening — amendment — re Warner Oil Burner, Models E and G, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Request to reopen, withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

592-31-SA.

PETITIONER—Caloroil Burner Corporation.

SUBJECT—Application for reopening—amendment—re Approval of Crescent Oil Burner, Models 8, 18 and 28.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition reopened and placed on Reserve Calendar and referred to Engineer of the Board and Bureau of Combustibles, Fire Department for report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

MINUTES

1249-22-SA.

PETITIONER—Coen Co., owner.

SUBJECT—Coen Steam Atomizing Oil Burner—approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition reopened and placed on Reserve Calendar and referred to Engineer of the Board and Bureau of Combustibles, Fire Department, for report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

Adjourned, 3:30 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model		M. D. Rotary.....	52-27-SA
No. 1000	9-32-SA	Milwaukee Piston Rotating Port Pump....	763-25-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Monroe Oil Pump.....	658-26-SA
Beach Russ Co. Rotary.....	1134-22-SA	Northern Rotary	1396-24-SA
Blackmer Rotary	935-24-SA	Pascoe Pump Set.....	1029-26-SA
Blake & Knowles Horizontal Simplex Piston		Petro-Nokol Industrial Oil Pump.....	570-32-SA
Pattern Pump	372-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Century Rotary	908-21-SA	Quimby Screw Pump.....	1193-21-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump.....	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump.....	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Tate-Jones	492-21-SA
Enterprise Oil Pump.....	11-28-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Exeter Rotary	507-22-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Hand Rotary.....	1133-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Viking	438-21-SA
Goulds Triplex Plunger.....	257-22-SA	Warren Oil Pump.....	1169-23-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Koerting Gear Pump.....	1264-25-SA	Worthington Duplex Double-Acting Steam	
Kraissl Fuel Oil Pump.....	60-28-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

Appliances Submitted for Approval.

28-23-SA—Motorles Oilheat Burner, Models 7, 9, 11, 13 and 15.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

209-32-SA—Crocker 4-inch Siamese.

229-32-SA—Camel Automatic Oil Burner, Model A. S.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

238-33-SA—Lynn Range Burner, Models Lynn Junior, Lypre and DeLuxe.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

349-33-SA—Herco Oil Burner.

32-34-SA—Super Oil Burner for Pressing Machine.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

117-34-SA—Carter Oil Burner, Models 4X and 5X.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

155-34-SA—Midget Oil Burner.

156-34-SA—Allen's Siamese Connections for Fire Department use.

165-34-SA—Rose Oil Heater.

172-34-SA—Silent Glow Oil Burner, Atmospheric Type.

181-34-SA—Genuine Detroit Constant Level Valve, Models CRC160, CRC180, CRC150, CRC350 and CRC550, Types A-D-H-K-L-M-S, S-1, S-2 and V-1-2-3-4.

182-34-SA—Genuine Detroit Anti-Syphon Valve, Model CRC100, Types V and S.

183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.

184-34-SA—Vapofier Oil Burner.

192-34-SA—Preferred Type B Anti-Syphon Valve.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

205-34-SA—Automatic Firetox Extinguisher.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	33
Cases filed up to September 12, 1934.....	263	Dismissed	13
Restored to Calendar.....	67	Denied	90
		Granted	0
		Granted on condition.....	132
		Appliances approved	41
		Appliances dismissed, disapproved or withdrawn....	29
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	211	Requests to reopen granted.....	183
Requests to amend.....	71	Requests to reopen denied.....	15
Requests for modification.....	1	Requests to amend granted.....	71
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	39	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	39
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	888	Requests for extension of permit granted.....	12
Disposed of	685	Requests for extension of permit denied.....	0
Cases pending September 12, 1934.....	203	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	13
		Total.....	685

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.
Published weekly by the Board of Standards and Appeals at its office, Rooms 1001 to 1015, Municipal Building, New York City.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—

- Docket.
- Court Decisions.
- Call of Clerk's Calendar.
- Notices in Building Zone Cases.
- The Trial Calendar.
- Minutes of Regular Meeting, September 18, 1934, at 10 A. M.
- Minutes of Regular Meeting, September 18, 1934, at 2 P. M.
- Oil Burner Rules.
- Approved Burners for Industrial Use.
- Reserve Calendar.
- Approved Fireline Hose Valves.
- Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, September 24, 1934*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, October 1, 1934*, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET.

New Cases Filed up to September 19, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
266-34-SA.....	F.D.....	Timken Silent Automatic Pressure Type Burner, Appliance.
265-34-A.....	D.B.B....	151 Linden blvd., N.W. corner Rogers ave. (Block 5084, Lot 61), Brooklyn. Applic. 14855-34 and A-48-34.
264-34-BZ.....	D.B.B....	8412 Ridge boulevard (Block 6023, Lot 39, Brooklyn. Applic. 10600-34.

Restored to Calendar.

5-34-BZ.....	D.B.M...	15 East 61st street (Block 1376, Lot 12), Manhattan. Alt. 24-1934.
307-33-BZ.....	D.B.B....	1758-1766 Coney Island ave. (Block 6592, Lot 18), Brooklyn. Applic. 8386-33.
62-33-SA.....	F.D.....	Florence Oil Heater, Models GC-6, GC-7, GS-27 and CH-28. Appliance.
591-29-SA.....	F.D.....	Improved Kres-Kno Oil Burner, Model MD. Appliance.
227-20-BZ.....	D.B.Bx...	1545 Jerome ave., N.W. corner Goble pl. (Block 2859, part of Lot 50), Bronx. Alt. 321-34.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

	Last Publication in Bulletin
Certificate of Occupancy, approved forms.....	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	July 24, 1934—Vol. 19 No. 30
Elevator Rules.....	July 3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
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Fire Drill Rules.....	May 30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.	Nov. 28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of.....	Apr. 10, 1934—Vol. 19 No. 15
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4 No. 3
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Hatchway Protection.....	June 5, 1928—Vol. 13 No. 23
Oil Burner Rules.....	Sept. 25, 1934—Vol. 19 No. 39
Paint, Varnish and Lacquer Spraying Rules.....	Apr. 17, 1934—Vol. 19 No. 16
Plumbing Rules.....	July 17, 1934—Vol. 19 No. 29
Procedure, Rules of.....	June 20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O. beh.	13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for.....	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules.....	Jan. 16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules.....	Sept. 26, 1933—Vol. 18 No. 39
Structural Alterations, Reporting.....	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	Sept. 25, 1934—Vol. 19 No. 39
Fuel Oil Burners for Domestic and Commercial Use.....	Sept. 11, 1934—Vol. 19 No. 37
Fuel Oil Burners for Industrial Use.....	Sept. 25, 1934—Vol. 19 No. 39
Fuel Oil Pumps.....	Sept. 18, 1934—Vol. 19 No. 38
Paint, Varnish and Lacquer Spraying Equipment.....	Apr. 17, 1934—Vol. 19 No. 16

COURT DECISIONS.

Ridder v. Murdock—August 24, 1933, Board denied application for gas station in business district under section 21, Cal. No. 319-30-BZ; Premises 31-01 Newtown ave., N.E. cor. 31st street, L. I. City. Mr. Justice Cuff sustained Board (N. Y. L. J., September 1, 1934).

* * *

Noviak Hldg. Corp'n v. Murdock, et al.—April 3, 1934, Board denied application for gas station in business district, under section 21, Cal. No. 148-33-BZ; Premises S.W. cor. Hollis avenue and Cross Island boulevard, Hollis, Queens. Mr. Justice Faber reversed Board, decision following St. Albans-Springfield case limitation (N. Y. L. J., August 15, 1934).

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

167-34-BZ
APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.
PREMISES—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

1058-24-BZ
APPLICANT—Max Klein, for Max Tharler, owner.
PREMISES—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), The Bronx.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

168-28-BZ
APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.
PREMISES—Northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

168-34-BZ.
APPLICANT—Philip Schmeizer (Lessee), for Ida M. Melton, owner.
PREMISES—South side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

CALENDAR

SEPTEMBER 25, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, September 25, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CAL. NO. 123-34-BZ—Application, May 7, 1934, under section 21 of the building zone resolution of Michael Glick, applicant, on behalf of Harry Weissberg, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), The Bronx.

CAL. NO. 160-34-BZ—Application, June 12, 1934, under sections 7c and 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Architect Building Corporation, owner, to permit in a residence district the maintenance of an existing shed for the storage of lumber; premises north side of 84th drive, 100 ft. east of Queens boulevard (block No. 710, Lot No. 64), Forest Hills, Borough of Queens.

CAL. NO. 229-33-BZ—Application of Lama and Proskauer, for Autumn Goodis, owner, reopened June 5, 1934, under section 21 of the building zone resolution, to permit the amendment of a resolution adopted by the board on November 21, 1933, permitting, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station; premises 130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 25, 1934, 2 P. M.

Appeals from Administrative Orders

220-34-A—531-541 West 23rd street (Block No. 695, part of Lot No. 15), Manhattan.

225-34-A—60-74 Columbus avenue (Block No. 1134, Lot No. 29), Manhattan.

228-34-A—892-896 Bergen street (Block No. 1149, Lot No. 24), Brooklyn.

239-34-A—552 West 55th street and 794 11th avenue, southeast corner (Block No. 1083, Lot No. 61), Manhattan.

175-34-A—544-550 5th avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Brooklyn.

210-34-A—Pier, Foot of 155th street and North River, Manhattan.

Petition for Variation

235-34-S—290 Fifth avenue (Block No. 832, Lot No. 43), Manhattan.

Appliances Submitted for Approval

221-34-SA—The Ohio Pattern Works Foundry Co. Curb Fill Box (Gasoline).

250-34-SA—A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6 and AS-9 and A-3798 Water Heater Assembly.

251-34-SA—No-Wyck Range and Stove Oil Burner.

256-34-SA—"Standard" One-Piece Closet Combination.

263-34-SA—Lonergan Oil Burning Heater, Models F-2, F-3 and C-4.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon*, September 25, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution, to permit in a business district

CALENDAR

the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

CAL. NO. 147-34-BZ—Application, June 1, 1934, under section 21 of the building zone resolution, of William J. Boegel, applicant, on behalf of Clifford Magerle, owner, to permit in a business district the extension of an existing gasoline service station; premises northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 1, 1934, AT 2 P. M.

Building Zone Cases.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.

126-34-BZ.

APPLICANT—Philip Schneider, for Sarah Feinman, owner.

PREMISES—609 Snediker avenue (Block No. 3851, Lot No. 1), Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the maintenance of a motor vehicle repair shop.

159-34-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

PREMISES—Southwest corner of East Fordham road and Arthur avenue (Block No. 3067, Lot Nos. 54 and 56), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the extension of an existing gasoline service station.

180-34-BZ.

APPLICANT—Christensen Engineering Co., Inc., for Kazimer Wajda, owner.

PREMISES—Southwest corner of 123rd avenue and Sutphin boulevard (Block No. 2831, Lot No. 71), Jamaica, Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

206-34-BZ.

APPLICANT—Clelia D'Allessandro, for Mary Picerno, owner.

PREMISES—Southwest corner of Jewett avenue and Castleton avenue (Block No. 1026, Lot No. 47), Port Richmond, Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

229-34-BZ.

APPLICANT—Edgar J. Moeller, for John McCluskey, owner.

PREMISES—531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a repair shop for motor vehicles in connection with an automobile sales building.

OCTOBER 2, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 2, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 73-34-BZ—Application of Michael Levine, on behalf of Karron and Lieberman, Inc., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied; premises 1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 $\frac{3}{8}$ in. south of 20th avenue (Block No. 5464, part of Lot No. 15), Borough of Brooklyn.

CAL. NO. 158-34-BZ—Application, June 12, 1934, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Inc., owner, to permit in a business district the extension of an existing gasoline service station; premises block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), Borough of The Bronx.

CAL. NO. 177-34-BZ—Application, June 21, 1934, under sections 7c and 21 of the building zone resolution, of William C. Stohldreier, applicant, on behalf of Sheffield Farms Company, Inc., owner, to permit the extension, from a business district into a residence district, of a proposed building for the storage of wagons;

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premises south side of Flushing avenue, 106 ft. west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

ises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 185-34-BZ—Application, June 23, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Ben H. Sanders and Henry A. Doten, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises north side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

HARRIS M. MURDOCK, *Chairman.*

OCTOBER 2, 1934, 2 P. M.

Appeals from Administrative Orders.

209-34-A—2-12 Taylor street (Block No. 2174, Lot No. 14), Brooklyn.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

233-34-A—130-132 Fifth avenue, northwest corner of West 18th street (Block No. 820, Lot No. 38), Manhattan.

Petition for Variation.

204-34-S—168-170 Park Row and 1 Baxter street, southwest corner (Block No. 161, Lot No. 15), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 2, 1934, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviack Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); prem-

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzel, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR.

MONDAY, OCTOBER 8, 1934, AT 2 P. M.

Building Zone Cases.

193-34-BZ.

APPLICANT—Edward Winter (Lessee), for Henry Ruttenberg, owner.

PREMISES—Northeast corner of Watjean Court and Fernside avenue (Block No. 271, Lot Nos. 1 and 38), Far Rockaway, Borough of Queens.

APPLICATION, under sections 7f and 21 of the building zone resolution,

TO PERMIT in a residence district an office and parking space for more than five motor vehicles.

212-34-BZ.

APPLICANT—Bailey & Ferrara, for Mabel O. Parker, owner.

PREMISES—1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

222-34-BZ.

APPLICANT—Samuels & Samuels, for Meyer Werman, owner.

PREMISES—Southeast corner of Little Neck parkway and Hillside avenue (Block No. 4523, Part of Lot No. 51), Floral Park, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

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223-34-BZ.

APPLICANT—Kennedy & Ellner, for Albert V. Leudermann, Lillian B. Leudermann and Lena Wenner, owners.

PREMISES—Northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot No. 1), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

227-34-BZ.

APPLICANT—Samuels & Samuels, for Jacob Morgenthau Sons, owner.

PREMISES—Southeast corner of Queens boulevard and 51st avenue (Block No. 2472, Lot No. 9), Elmhurst, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

OCTOBER 9, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 9, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 9, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 9, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 307-33-BZ—Application of H. E. Horwood, on behalf of 1758 Coney Island Avenue Realty Co., Inc., owner, reopened September 18, 1934 for amendment to resolution to permit the inclusion of a gasoline service station—re Applica-

tion, granted under section 21 of the building zone resolution, permitting in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop, brake testing, automobile laundry and greasing for a period of five (5) years; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

OCTOBER 23, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 23, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 262-32-BZ—Application of Edward J. Walsh and Mary Walsh, owners, reopened September 11, 1934, under section 7f of the building zone resolution for consideration as to extension of permit—re Application, permitting in a business district the erection and maintenance of a gasoline service station for a temporary period of two (2) years; premises southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 18, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, September 11, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, September 11, 1934, were approved as printed in Bulletin No. 38, Vol. XIX.

BUILDING ZONE CASES.

141-34-BZ.

APPLICANT—William Shary, for Socora Realty Construction Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly.

PREMISES AFFECTED—East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary and Abraham L. Sobel.

For Opposition: Alvin Gelfon, Morris Remson, Leo Alster and C. M. Langwith.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., for report of committee on inspection. No further argument.

148-34-BZ.

APPLICANT—Samuels & Samuels, for Noviak Holding Corporation and Martha Barlow, owners.

SUBJECT—Application (re decision of the commissioner of buildings), under sections 7b, 7c and 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores).

PREMISES AFFECTED—Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Dorothea A. Schmitt and A. Paul Loshen.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., for inspection and report of committee on inspection. No further argument.

79-34-BZ.

APPLICANT—Martin J. Ort, for Angelo Malgieri, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Martin J. Ort and Angelo Malgieri.

For Opposition: Samuel Davis.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., for report of committee on inspection. No further argument.

137-34-BZ.

APPLICANT—Louis Isquith, for Estate of Frank Wetzel, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

APPEARANCES—

For Appellant: Louis Isquith.

For Opposition: Leon Alpert and James King.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., for report of committee on inspection. No further argument.

31-33-BZ.

APPLICANT—John J. M. O'Shea, for Denis P. Healy, owner.

SUBJECT—Request for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—610-622 Utica avenue, northwest corner of Winthrop street (Block No. 4603, Lot Nos. 40 and 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. M. O'Shea.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

307-33-BZ.

APPLICANT—H. E. Horwood, for 1758 Coney Island Avenue Realty Co., Inc., owner.

SUBJECT—Request for reopening—amendment—re Application (decision of the commissioner of buildings) granted under section 21 of the building zone resolution, permitting in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop, so as to include gasoline service station.

PREMISES AFFECTED—1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. E. Horwood.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing October 9, 1934, 2 p. m., subject to inspection and report by committee of board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

MINUTES

227-20-BZ.

APPLICANT—Samuel Rosenblum, for Goble Jerome Co., Inc., present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit the alteration and conversion of existing public garage for the storage of more than five (5) motor vehicles, located partly in a business district and partly in an unrestricted district, to be used in part as a gasoline service station.

PREMISES AFFECTED—1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum and Albert Schaile.

ACTION OF BOARD—Application reopened, to be set for calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

477-28-BZ.

APPLICANT—Philip J. Dunn, for Grandside Realty Corp., owner.

SUBJECT—Request for reopening—extension of time—re Application (decision of the superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a business use (stores).

PREMISES AFFECTED—Southwest corner of Burnside avenue and Grand Concourse (Block No. 2808, Lot No. 82), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur J. O'Leary.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(477-28-BZ)

WHEREAS, this application affecting premises south west corner of Burnside avenue and Grand Concourse (Block No. 2808, Lot No. 82), Borough of The Bronx, was granted by the board at its meeting February 5, 1929, and time extended from time to time, and applicant requested a further extension of time to obtain permits.

Resolved, that the resolution adopted by the board on February 5, 1929, be and it hereby is amended, only so far as it refers to the time for obtaining permits, so that as amended that portion of the resolution will read:

"That all permits required shall be obtained within nine months and all work involved shall be completed within one year from the date of this amended resolution."

Adjourned, 1:10 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 18, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

644-20-BZ.

APPLICANT—Samuel Rosenblum, for H. P. C. Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7 (c) and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station (reopened April 24, 1934).

PREMISES AFFECTED—1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.
For Opposition: None.

ACTION OF BOARD—Laid over to September 25, 1934, at 2 p. m., for inspection and report of committee on inspection. No further argument.

147-34-BZ.

APPLICANT—William J. Boegel, for Clifford Magerle, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing gasoline service station.

PREMISES AFFECTED—Northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: William J. Boegel and Clifford Magerle.

For Opposition: None.

ACTION OF BOARD—Laid over to September 25, 1934, at 2 p. m., for inspection and report of committee on inspection. No further argument.

12-32-BZ.

APPLICANT—Falk & Orleans, for George White, owner.

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SUBJECT—Request for reopening—reconsideration under new facts—re Application (decision of the superintendent of buildings under section 21 of the building zone resolution, for a modification of a resolution adopted by the board on April 12, 1932, to permit in a business district the change of occupancy of a part of an existing building to a garage for more than five (5) motor vehicles by permitting existing vehicular opening in 66th street to remain and by permitting minor motor vehicle repairs.

PREMISES AFFECTED—6513-6519 Fifth avenue, northeast corner of 66th street (Block No. 5828, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ilo Orleans.

For Opposition: Harry Nellis, L. C. Squire Department of Parks, Joseph Calcagno.

ACTION OF BOARD—Request to reopen—denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(12-32-BZ)

WHEREAS, this application affecting premises 6513-6519 Fifth avenue, northeast corner of 66th street (Block No. 5828, Lot No. 1), Borough of Brooklyn, was granted by the board March 8, 1932, under a resolution permitting a garage for more than five (5) motor vehicles, and on April 12, 1932 the resolution was amended as to existing show window on 66th street, allowing said show window to remain; on March 21, 1933 application was reopened on request to permit minor repairs to motor vehicles and a vehicular entrance on 66th street, this was denied by the board May 16, 1933 and the resolution of April 12, 1932 reaffirmed; the board was sustained on a writ of certiorari April 6, 1934, in a decision by Mr. Justice Smith; and

WHEREAS, the owner through his attorneys, Falk and Orleans, has requested a reopening of the case on the basis of alleged new facts submitted; and

WHEREAS, a committee of the board inspected these premises and gave careful consideration to the alleged new facts presented as a basis of reopening and rehearing of the application; and

WHEREAS, the board deemed that the alleged new facts were not substantial and were insufficient as a basis to justify the reopening and rehearing applied for.

Resolved, that the request for reopening be and it hereby is denied.

34-BZ.

APPLICANT—Joseph A. Gelbmann, for Elsie S. Denville, owner.

SUBJECT—Application for reopening—restoration to Calendar, having been previously withdrawn—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the change of occupancy of an existing building to business use (restaurant).

PREMISES AFFECTED—15 East 61st street (Block No. 1376, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph A. Gelbmann.

ACTION OF BOARD—Application reopened and restored to Calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

347-29-BZ.

APPLICANT—Samuel Rosenblum, for Infried Realty Corp., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station and, also, garages for more than five (5) motor vehicles on a site upon which the board had previously granted permission to occupy as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—West side of Sedgwick avenue, 150 ft. south of West 167th street (Block No. 2539, Lot No. 22), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(347-29-BZ)

WHEREAS, this application affecting premises west side of Sedgwick avenue, 150 ft. south of West 167th street (Block No. 2539, Lot No. 22), Borough of The Bronx, was granted by the board February 28, 1933, amended December 5, 1933, on certain conditions, and applicant requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of December 5, 1933, extending the period of time within which to complete work involved to one year from the date of this amended resolution in view of statement by applicant that all required permits have been obtained; that other than as amended herein the resolution of December 5, 1933, shall be complied with in all respects.

376-33-BZ.

APPLICANT—Clifford F. Hart, for Benjamin G. Hitchings Lumber Corp., owner.

SUBJECT—Application for reopening—amendment—re Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting, partly in an unrestricted district and partly in a business district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, a gasoline service station and also, a motor vehicle repair shop.

PREMISES AFFECTED—3202-3224 Avenue H, south side, from East 32nd street to New York avenue (801-821 East 32nd street and 1676-1696 New York avenue); (Block No. 7578, Lot Nos. 53 and 57), Borough of Brooklyn.

APPEARANCES—

For Applicant: Clifford F. Hart.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
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MINUTES

Negative	0
Absent	0
THE VOTE TO AMEND RESOLUTION—	
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(376-33-BZ)

WHEREAS, this application affecting premises 3202-3224 Avenue H, south side from East 32nd street to New York avenue (Block No. 7578, Lot Nos. 53 and 57), Borough of Brooklyn, was granted by the board March 27, 1934, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 27, 1934, as follows:

"That there shall be erected within the first story of the building either on the line between the area zoned for business and the area zoned for unrestricted use or within the unrestricted area not more than 12 ft. from the line between the zones an unpunctured brick wall from street floor to roof; that the entire space from this wall northerly to Avenue H, on the first or street floor shall be used for conforming business use only; that all permits shall be obtained within three months and all work completed within one year from the date of this amended resolution; that other than as amended herein the resolution of the board adopted March 27, 1934, shall be complied with in all respects."

GENERAL RESOLUTION.

SUBJECT—General resolution interpreting the Building Zone Resolution.

ACTION OF BOARD—Building Zone Resolution interpreted.

THE VOTE TO ADOPT GENERAL RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

GENERAL RESOLUTION.

WHEREAS, under the provisions of section 242-A of the Charter of the City of New York, the Board of Standards and Appeals is empowered to determine and vary the application of the Building Zone Resolution; and

WHEREAS, the board deemed that a determination was required as to dead storage of automobiles in business use districts, the former provision of the Building Zone Resolution referring to this use, having been omitted from the amended Building Zone Resolution as unnecessary, a warehouse being a conforming use in a business district.

Resolved, that it be and it hereby is determined that warehousing or storage of automobiles, the gasoline tanks of which are empty, and where such automobiles are received and held in dead storage only, is a conforming use in a business district and not prohibited under Article II, Section 4, Subdivision 15, of the Building Zone Resolution.

APPEALS FROM ADMINISTRATIVE ORDERS.

63-34-A.

APPELLANT—Walter C. Martin, for Board of Education for City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Appellant: Charles Tilgner.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Laid over to October 16, 1934, at 2 p. m., on request of appellant's representative.

175-34-A.

APPELLANT—J. H. McDowell, for Germain Stores, Inc., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—544-550 Fifth avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Borough of Brooklyn.

APPEARANCES—

For Appellant: None.

For Administration: None.

ACTION OF BOARD—Laid over to September 25, 1934, at 2 p. m., on written request, subject to inspection and report by a committee of the board.

209-34-A.

APPELLANT—Chilean Nitrate Sales Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2-12 Taylor street (Block No. 2174, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Appellant: Herman Jersawit.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., on request of appellant's representative.

210-34-A.

APPELLANT—Bernard Capehart, for Sky Harbor, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Pier, Foot of 155th street and North River, Borough of Manhattan.

APPEARANCES—

For Appellant: Comyn Haroldson.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Laid over to September 25, 1934, at 2 p. m., on request of appellant's representative.

217-34-A.

APPELLANT—Amusement Bureau Chamber of Commerce of the Rockaways; Jamaica Bay Towing Company, owner of barge.

SUBJECT—Appeal from an order of the fire commissioner—re display of fireworks.

PREMISES AFFECTED—Barge in Atlantic Ocean, 1000 ft. off shore, foot of Beach 97th and Beach 100th streets, Rockaway Beach, Borough of Queens.

APPEARANCES—

For Appellant: Manuel Maxwell.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

MINUTES

PETITION FOR VARIATION.

595-31-S.

PETITIONER—Williams & Co., Inc., for Hoy Realty Corp., owner.

SUBJECT—Request for reopening—extension of time—re Petition for a variation from the requirements of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—160 Madison avenue (fifth floor); (Block No. 862, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Petitioner: Milton G. Hauer.

For Administration: None.

ACTION OF BOARD—Petition reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(595-31-S)

WHEREAS, this petition affecting premises 160 Madison avenue (Block No. 862, Lot No. 20), Borough of Manhattan, was granted by the board March 11, 1932, on certain conditions, and present owner requests an extension of time.

Resolved, that the resolution of board, dated March 11, 1932, only so far as it has reference to the termination of the lease of the present lessee of the fifth story be amended, so that as amended this portion of the resolution will read:

"That this variation shall terminate at the expiration of the lease of the present lessee of the fifth story, which termination occurs on February 1, 1935; and that other than as amended herein the resolution of March 11, 1932, shall be complied with in all respects."

APPLIANCES SUBMITTED FOR APPROVAL.

219-34-SA.

PETITIONER—Florence Stove Company, owner.

SUBJECT—Florence Range Burners, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to the Engineer of the Board and Bureau of Combustibles for test and report.

224-34-SA.

PETITIONER—James E. Sayeg, for Progressive Machinery Co., owner.

SUBJECT—Progressive Press Machine Oil Burner, approval of.

APPEARANCES—

For Petitioner: James E. Sayeg.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to the Engineer of the Board and Bureau of Combustibles for test and report.

226-34-SA.

PETITIONER—Norge Corp. of New York, owner.

SUBJECT—Norge Oil Burner, approval of.

APPEARANCES—

For Petitioner: A. E. Burns.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to the Engineer of the Board and Bureau of Combustibles for test and report.

234-34-SA.

PETITIONER—Bland Range Oil Burner Co., Inc., owner.

SUBJECT—Bland Range Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to the Engineer of the Board and Bureau of Combustibles for test and report.

236-34-SA.

PETITIONER—Sears, Roebuck and Co., owner.

SUBJECT—Air-O-Flame Range Burners, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar and submitted to the Engineer of the Board and Bureau of Combustibles for test and report.

238-33-SA.

PETITIONER—David Kaufman, for Lynn Products Co., owner.

SUBJECT—Lynn Range Burner, Circulating Heater and Cabinet Heater—approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition referred to the Engineer of the Board and Bureau of Combustibles of the Fire Department for test and report.

591-29-SA.

PETITIONER—B. I. Stamm, for J. E. Kresky, present owner.

SUBJECT—Request of reopening—re Improved Kreskno Oil Burner, Model MD, approval of.

APPEARANCES—

For Petitioner: B. I. Stamm.

ACTION OF BOARD—Petition reopened and referred to the Engineer of the Board and Bureau of Combustibles of the Fire Department for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

62-33-SA.

PETITIONER—Florence Stove Company, owner.

SUBJECT—Request for reopening—re Florence Oil Heater, Models GC-6, GC-7, GS-27 and CH-28—approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition reopened and referred to the Engineer of the Board and Bureau of Combustibles of the Fire Department for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

MINUTES

Negative 0
Absent 0

229-32-SA.

PETITIONER—Charles W. Russell, for Campbell Machine Co., owner.

SUBJECT—Camel Automatic Oil Burner, Model A.S.—approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition approved in accordance with Engineer's report and report of Bureau of Combustibles.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(229-32-SA)

WHEREAS, Charles W. Russell, for Campbell Machine Co., owner, filed April 29, 1932, a petition with the Board of Standards and Appeals, for approval of the device known as the Camel Automatic Oil Burner, Model 30, Types A, B and C; and

WHEREAS, this device was approved by the board December 22, 1933, and petitioner requested an amendment of the resolution to include Model A.S.; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This model is designed to burn No. 1-3 commercial grades of fuel oil. The burner consists of a Balder Motor, 1/6 Horsepower and fan; a Campbell Pump; a Detroit lubricating and regulating and cut off valve, Purolator Oil Strainer; and a Campbell Nozzle.

Ignition—Electric Jefferson Transformer.

Controls—Minneapolis Honeywell. A Protectorelay R-117-3 and Pressuretrol L-104-2.

This burner differs from the model as already approved only in the size of the motor and fan.

The undersigned recommends that since there have been no material changes in this new burner that the same may be approved when installed in accordance with the Oil Burner Rules as per general resolution of the Board of Standards and Appeals of September 16, 1932.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Camel Automatic Oil Burner, Model 30, Types A, B and C, Model J and Model A.S. for use in domestic and commercial installations when used with No. 3 fuel oil and when installed in accordance with the above report and the report in the resolution of the board adopted December 22, 1933 and when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

117-34-SA.

PETITIONER—General Oil Heating Corp., owner.

SUBJECT—Carter Oil Burner, Models 4X and 5X—approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition approved in accordance with Engineer's report and report of Bureau of Combustibles.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(117-34-SA)

WHEREAS, General Oil Heating Corp., owner, filed May 1, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Carter Oil Burner, Models 4X and 5X; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The burner consists of the following parts: An Ohio motor, 1/8 H.P.; Torrington Fan; Tuthill Pump; Genuine Detroit Lubricator regulating and cut off valve and strainer, and a Nitrol nozzle.

Ignition—Electric. Webster transformer 110—10,000 volts. The Electrodes were inspected and tested. Under operating conditions the spark was found to be of proper intensity and length.

Controls—A Mercoid Pyrotherm and a Time-O-Stat, manufactured by the Minneapolis Honeywell Company.

With the oil shut off and a hot combustion chamber, the burner was operated and the controls shut down the burner in 63 seconds. Same test was repeated with a cold combustion chamber, and the controls operated and shut it down in 93 seconds. Oil used in this burner No. 1 and 2. The oil supply was then turned on and the burner put into normal operation. During the period of test there were no puff backs or fluctuation in the flame. Flame was free of soot and smoke. Examination of the combustion chamber showed no undue deposits of carbon.

The Model 5X burner is of similar construction, except that a larger motor and fan are used, thus increasing the capacity of the burner. Up to the present time, the Underwriters' Laboratory has not yet issued a report on this burner.

As a result of these tests, it is recommended that the Carter Oil Burner Models 4X and 5X be approved for domestic, industrial and commercial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the Carter Oil Burner, Models 4X and 5X for use in commercial, domestic and industrial installations, when used with No. 3 fuel oil and when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

Adjourned, 4:50 p. m.

EDWARD V. BARTON, Chief Clerk.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

RULES

OIL BURNER RULES

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals
June 15, 1934

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

RULES

STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 10 pounds per square inch without permanent deformation, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material, and where the tank is 48 inches or less in diameter the shell shall have a thickness of not less than $\frac{3}{16}$ of an inch and where the tank is over 48 inches in diameter the shell shall have a thickness of not less than $\frac{1}{4}$ of an inch.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

RULES

Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground.

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity or not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

(c) Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

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less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or private right of way.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for approval for permit shall be made by the installer on forms furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity, number and location of storage tanks, together with approval of such installation by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Installation of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be

provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by a $\frac{1}{2}$ " asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

(g) Near each boiler or furnace of a fuel oil burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand.

Rule 15. Instruction Cards.

(a) Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

(b) For manually operated systems not fully automatic the operator shall obtain a certificate of fitness from the fire commissioner.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Maxon Oil Burner (New Style).....	1036-22-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	May Oil Burner.....	68-24-SA
Auto-Heat Oil Burner.....	284-33-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil High Pressure Burner.....	185-29-SA
Berggren Oil Burner.....	764-26-SA	National Airoil Low Pressure Burner.....	186-29-SA
Best Calorex Burner.....	1464-21-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Bock Oil Burning Water Heater.....	102-34-SA	North American Low Pressure Oil Burner...	792-26-SA
Brighton Oil Burner	372-33-SA	Oilbilt Burner.....	85-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Oronoque Oil Burner.....	394-30-SA
Burnwell Mechanical Burner.....	957-22-SA	Packard Fuel Oil Burner.....	77-34-SA
Caloril Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Carter Oil Burner, Models 4X and 5X.....	117-34-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Petro Model W Oil Burner.....	452-31-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
D'Elia Oil Burner.....	155-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
DeWalt Oil Burner.....	541-31-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Doe Oil Burner.....	317-31-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enco Mechanical Oil Burner.....	509-30-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Forsdraft Oil Burner	41-34-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Frankfort Type P Oil Burner.....	1046-23-SA	S. K. Oil Burner, Model F.....	369-33-SA
Gem Fuel Oil Burner.....	111-26-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Ghapco Steam Generator.....	348-31-SA	Standardyne Oil Burner.....	34-34-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Steam Oil Burner.....	183-22-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Sun Heat Oil Burner.....	603-29-SA
Grant Oil Burner, Model "C".....	232-32-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sunway Oil Burner.....	624-30-SA
Hammond Oil Burner.....	72-31-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Harris Fuel Oil Burner.....	690-30-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hart Oil Burner, Model "H".....	221-33-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Timken Rotary Oil Burner.....	297-29-SA
Hayward Oil Burner.....	696-30-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Hobeco Oil Burner.....	1278-21-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Holby Oil Burner.....	328-27-SA	Todd Spiro Oil Burner.....	470-31-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Spiro Burner (pump type).....	94-32-SA
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Todd Steam Atomizing Fuel Oil Burner.....	123-23-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Kelvinator Oil Burner, Model K.....	105-34-SA	Vaporoil Burner	44-32-SA
Kreager Oil Burner.....	367-30-SA	Warner Oil Burner, Model A.....	16-34-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Wheco Oil Burner.....	108-34-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Liberty Automatic Heater.....	129-28-SA	Wizard Automatic Oil Burner.....	181-33-SA
Liberty Pressure Oil Burner.....	75-34-SA		
Lientz Oil Burner.....	155-20-SA		
Lonergan Automatic Oil Burner.....	208-33-SA		
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

Appliances Submitted for Approval.

1249-22-SA—Coen Steam Atomizing Oil Burner.

628-23-SA—Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

591-29-SA—Improved Kres-Kno Oil Burner, Model MD.

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

491-31-SA—Superfex Oil Burning Heater.

592-31-SA—Crescent Oil Burner, Models 8, 18 and 28.

209-32-SA—Croker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

62-33-SA—Florence Oil Heater, Models GC-6, GC-7, GS-27 and CH-28.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

238-33-SA—Lynn Range Burner, Models Junior, Lypre, DeLuxe, Circulating Heater and Cabinet Heater.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters

349-33-SA—Herco Oil Burner

32-34-SA—Super Oil Burner for Pressing Machine.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

155-34-SA—Midget Oil Burner.

156-34-SA—Allen's Siamese Connections for Fire Department use.

165-34-SA—Rose Oil Heater.

172-34-SA—Silent Glow Oil Burner, Atmospheric Type.

181-34-SA—Genuine Detroit Constant Level Valve, Models CRC160, CRC180, CRC150, CRC350 and CRC550, Types A-D-H-K-L-M-S, S-1, S-2 and V-1-2-3-4.

182-34-SA—Genuine Detroit Anti-Syphon Valve, Model CRC100, Types V and S.

183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.

184-34-SA—Vapofier Oil Burner.

192-34-SA—Preferred Type B Anti-Syphon Valve.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

205-34-SA—Automatic Firetox Extinguisher.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

219-34-SA—Florence Range Burners.

224-34-SA—Progressive Press Machine Oil Burner.

226-34-SA—Norge Oil Burner.

234-34-SA—Bland Range Oil Burner.

236-34-SA—Air-O-Flame Range Burners.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
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Total 911

Disposed of 703

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Total..... 703

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

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EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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This issue of the Bulletin contains, in the order given—

- Docket.
- Call of Clerk's Calendar.
- Notices in Building Zone Cases.
- The Trial Calendar.
- Minutes of Regular Meeting, September 25, 1934, at 10 A. M.
- Minutes of Regular Meeting, September 25, 1934, at 2 P. M.
- Rules for Testing of Wood.
- Approved Burners for Domestic and Commercial Use.
- Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, October 1, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, October 8, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman

CALENDAR

DOCKET.

New Cases Filed up to September 26, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
273-34-BZ.....	D.B.B.....	1314-1332 Ocean ave. (Block 6703, Lot 55), Brooklyn. Applic. 3517-34.
272-34-BZ.....	D.B.Bx....	901-907 Morris park ave. and 1800-1804 Bronxdale ave., N.E. cor. (Block 4123, Lots 32, 33 and 34), The Bronx. N. B. 217-34.
271-34-BZ.....	D.B.Q.....	East side of Cooper ave., 130 ft. southwest of the corner of 74th st. (Block 3811, Lot 50), Glendale, Queens. N. B. 1639-34.
270-34-SA.....	F.D.....	Zenith Oil Burner, Appliance.
269-34-BZ.....	D.B.Q.....	Northwest cor. of Woodhaven blvd. and 162d ave. (Block 4040, Lot 87), Aqueduct, Queens. N. B. 1636-34.
268-34-BZ.....	D.B.Q.....	Northeast cor. of Van Wyck blvd. and 115th ave. (Block 2790, Lot 1), Richmond Hill, Queens. N. B. 1635-34.
267-34-BZ.....	D.B.Bx....	3620 Jerome ave. (Block 3329, Lot 92), The Bronx. N. B. 222-34.

Restored to Calendar.

305-33-BZ.....	D.B.B.....	104-106 4th ave., S.W. cor. of Warren st. (Block 401, Lots 38 and 39), Brooklyn. Applic. 9611-33.
555-31-S.....	F.D.....	93-99 Nassau st., 28-30 Ann st. and 135-139 Fulton st. (Block 89, Lot 1), Manhattan. L.D. 85875 and LD-85876.
235-23-BZ.....	D.B.B.....	2306-2324 Neptune ave. (Block 7015, part of Lot 3), Brooklyn. Applic. No. 106665-34.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

		Last Publication in Bulletin
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Concrete Flat Slabs, Rules	June	6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime)	July	24, 1934—Vol. 19 No. 30
Elevator Rules	July	3, 1934—Vol. 19 No. 27

Exit Rules (Revolving Doors)	Nov.	14, 1933—Vol. 18 No. 46
Factory Exit Rules	Nov.	14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior)	Sept.	26, 1933—Vol. 18 No. 39
Fire Drill Rules	May	30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.	Nov.	28, 1933—Vol. 18 No. 48
Fireproof Wood, Testing of	Oct.	2, 1934—Vol. 19 No. 40
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4 No. 3
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10 No. 14
Hatchway Protection	June	5, 1928—Vol. 13 No. 23
Oil Burner Rules	Sept.	25, 1934—Vol. 19 No. 39
Paint, Varnish and Lacquer Spray-ing Rules	Apr.	17, 1934—Vol. 19 No. 16
Plumbing Rules	July	17, 1934—Vol. 19 No. 29
Procedure, Rules of	June	20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O.	Feb.	13, 1934—Vol. 19 No. 7
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LIST OF APPROVED APPLIANCES

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Paint, Varnish and Lacquer Spray-ing Equipment	Apr.	17, 1934—Vol. 19 No. 16

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 1, 1934, AT 2 P. M.

Building Zone Cases.

127-34-BZ.	APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner. PREMISES—288-290 West 92nd street (Block No. 1239, Lot No. 56), Manhattan. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a residence district the alteration and change of occupancy of part of an existing building to business use.
126-34-BZ.	APPLICANT—Philip Schneider, for Sarah Feinman, owner. PREMISES—609 Snediker avenue (Block No. 3851, Lot No. 1), Brooklyn. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a business district the maintenance of a motor vehicle repair shop.
159-34-BZ.	APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner. PREMISES—Southwest corner of East Fordham road and Arthur avenue (Block No. 3067, Lot Nos. 54 and 56), The Bronx. APPLICATION, under section 21 of the building zone resolution, TO PERMIT partly in a business district and partly in a residence district the extension of an existing gasoline service station.
180-34-BZ.	APPLICANT—Christensen Engineering Co., Inc., for Kazimer Wajda, owner. PREMISES—Southwest corner of 123rd avenue and Sutphin boulevard (Block No. 2831, Lot No. 71), Jamaica, Queens. APPLICATION, under section 21 of the building zone resolution,

CALENDAR

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

206-34-BZ.

APPLICANT—Clelia D'Allessandro, for Mary Picerno, owner.

PREMISES—Southwest corner of Jewett avenue and Castleton avenue (Block No. 1026, Lot No. 47), Port Richmond, Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

229-34-BZ.

APPLICANT—Edgar J. Moeller, for John McCluskey, owner.

PREMISES—531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a repair shop for motor vehicles in connection with an automobile sales building.

OCTOBER 2, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 2, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 73-34-BZ—Application of Michael Levine, on behalf of Karron and Lieberman, Inc., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied; premises 1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 $\frac{3}{8}$ in. south of 20th avenue (Block No. 5464, part of Lot No. 15), Borough of Brooklyn.

CAL. NO. 158-34-BZ—Application, June 12, 1934, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Inc., owner, to permit in a business district the extension of an existing gasoline service station; premises block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), Borough of The Bronx.

CAL. NO. 177-34-BZ—Application, June 21, 1934, under sections 7c and 21 of the building zone resolution, of William C. Stohldreier,

applicant, on behalf of Sheffield Farms Company, Inc., owner, to permit the extension, from a business district into a residence district, of a proposed building for the storage of wagons; premises south side of Flushing avenue, 106 ft. west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

CAL. NO. 185-34-BZ—Application, June 23, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Ben H. Sanders and Henry A. Doten, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises north side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

HARRIS M. MURDOCK, *Chairman.*

OCTOBER 2, 1934, 2 P. M.

Appeals from Administrative Orders.

209-34-A—2-12 Taylor street (Block No. 2174, Lot No. 14), Brooklyn.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

233-34-A—130-132 Fifth avenue, northwest corner of West 18th street (Block No. 820, Lot No. 38), Manhattan.

225-34-A—60-74 Columbus avenue (Block No. 1134, Lot No. 29), Manhattan.

239-34-A—552 West 55th street and 794 11th avenue, southeast corner (Block No. 1083, Lot No. 61), Manhattan.

210-34-A—Pier, Foot of 155th street and North River, Manhattan.

Petitions for Variations.

204-34-S—168-170 Park Row and 1 Baxter street, southwest corner (Block No. 161, Lot No. 15), Manhattan.

235-34-S—290 Fifth avenue (Block No. 832, Lot No. 43), Manhattan.

Appliances Submitted for Approval

237-34-SA—Holland Type "F" Oil Burner.

266-34-SA—Timken Silent Automatic Pressure Type Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 2, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 141-34-BZ—Application, May 23, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf

CALENDAR

of Socora Realty Construction Co., Inc., owner, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly; premises East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), The Bronx.

pancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 1522-1528 Southern boulevard, northeast corner of East 172nd street (Block No. 2982, Lot No. 1), The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR.

MONDAY, OCTOBER 8, 1934, AT 2 P. M.

Building Zone Cases.

CAL. NO. 148-34-BZ—Application, June 1, 1934, under sections 7b, 7c and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Noviak Holding Corporation and Martha Barlow, owners, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores); premises Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

CAL. NO. 79-34-BZ—Application, March 27, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of Angelo Malgieri, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), The Bronx.

CAL. NO. 137-34-BZ—Application, May 22, 1934, under section 21 of the building zone resolution, of Louis Isquith, applicant, on behalf of the Estate of Frank Wetzel, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises South side of Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

CAL. NO. 229-33-BZ—Application of Lama and Proskauer, for Autumn Goodis, owner, reopened June 5, 1934, under section 21 of the building zone resolution, to permit the amendment of a resolution adopted by the board on November 21, 1933, permitting, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the rearrangement of buildings and also the inclusion of a brake service station; premises 130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

CAL. NO. 644-20-BZ—Application of Samuel Rosenblum, on behalf of H. P. C. Corp., owner, reopened April 24, 1934, under sections 7c and 21 of the building zone resolution, to permit in a business district the alteration and change of occu-

193-34-BZ.

APPLICANT—Edward Winter (Lessee), for Henry Ruttenberg, owner.

PREMISES—Northeast corner of Watjean Court and Fernside avenue (Block No. 271, Lot Nos. 1 and 38), Far Rockaway, Borough of Queens.

APPLICATION, under sections 7f and 21 of the building zone resolution,

TO PERMIT in a residence district an office and parking space for more than five motor vehicles.

212-34-BZ.

APPLICANT—Louis A. Brown, substituted for Bailey & Ferrara, for Mabel O. Parker, owner.

PREMISES—1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

222-34-BZ.

APPLICANT—Samuels & Samuels, for Meyer Werman, owner.

PREMISES—Southeast corner of Little Neck parkway and Hillside avenue (Block No. 4523, Part of Lot No. 51), Floral Park, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

223-34-BZ.

APPLICANT—Kennedy & Ellner, for Albert V. Leudermann, Lillian B. Leudermann and Lena Wenner, owners.

PREMISES—Northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot No. 1), Bay-side, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

227-34-BZ.

APPLICANT—Samuels & Samuels, for Jacob Morgenthaler Sons, owner.

PREMISES—Southeast corner of Queens boulevard and 51st avenue (Block No. 2472, Lot No. 9), Elmhurst, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

CALENDAR

OCTOBER 9, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 9, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 167-34-BZ—Application, June 18, 1934, under section 21 of the building zone resolution, of Vincent M. Cajano, applicant, on behalf of Insular Realty Corporation, owner, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises 1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn.

CAL. NO. 168-34-BZ—Application, June 19, 1934, under section 21 of the building zone resolution, of Philip Schmeizer, applicant and lessee, on behalf of Ida M. Melton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises south side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Borough of Queens.

CAL. NO. 1058-24-BZ—Application of Max Klein, on behalf of Max Tharler, owner, reopened May 29, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop; premises east side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), Borough of The Bronx.

CAL. NO. 168-28-BZ—Application of John Kochendorfer, on behalf of Adelaide F. Garbade, owner, reopened June 12, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 9, 1934, 2 P. M.

Appeals from Administrative Orders.

245-34-A—West side of Vernon boulevard, 90 ft. north of 43d avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

252-34-A—1410 Bedford avenue (Block No. 1224, Lot No. 45), Borough of Brooklyn.

Petitions for Variations.

555-31-S—93-99 Nassau street, 28-30 Ann street and 135-139 Fulton street (Block No. 89, Lot No. 1), Borough of Manhattan.

244-34-S—115-117 Fulton street and 52-56 Ann street (Block No. 91, Lot No. 7), Borough of Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 9, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 307-33-BZ—Application of H. E. Horwood, on behalf of 1758 Coney Island Avenue Realty Co., Inc., owner, reopened September 18, 1934 for amendment to resolution to permit the inclusion of a gasoline service station—re Application, granted under section 21 of the building zone resolution, permitting in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop, brake testing, automobile laundry and greasing for a period of five (5) years; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, north-

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west corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CAL. NO. 160-34-BZ—Application, June 12, 1934, under sections 7c and 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Architect Building Corporation, owner, to permit in a residence district the maintenance of an existing shed for the storage of lumber; premises north side of 84th drive, 100 ft. east of Queens boulevard (block No. 710, Lot No. 64), Forest Hills, Borough of Queens.

CAL. NO. 235-23-BZ—Application of Edwin W. Kleinert, on behalf of Albert Ritterman, present owner, reopened September 25, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 2306-2324 Neptune avenue (Block No. 7015, part of Lot No. 3), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 15, 1934, AT 2 P. M.

Building Zone Cases.

109-34-BZ.

APPLICANT—Jacob Lubroth, for Louis Greenstein, owner.

PREMISES—Southwest corner of Myrtle avenue and Cypress Hills street (Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop.

179-34-BZ.

APPLICANT—Hugo E. Magnuson, for Estate of Maria K. Gray, owner.

PREMISES—Southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a business building (stores).

195-34-BZ.

APPLICANT—William F. Regan, for Hattie M. Marks, owner.

PREMISES—1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

230-34-BZ.

APPLICANT—Martin J. Ort, for William F. Clark, owner.

PREMISES—303-305 Fourth avenue, southeast corner of 2d street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the maintenance of an existing motor vehicle repair shop.

339-33-BZ.

APPLICANT—Samuels and Samuels, for Otnas Realty, Inc., owner.

PREMISES—14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened July 17, 1934),

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn).

227-20-BZ.

APPLICANT—Samuel Rosenblum, for Goble Jerome Co., Inc., present owner.

PREMISES—1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened September 18, 1934),

TO PERMIT in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles, to be used in part for a gasoline service station.

OCTOBER 16, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

OCTOBER 23, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 23, 1934, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CALENDAR

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 262-32-BZ—Application of Edward J. Walsh and Mary Walsh, owners, reopened September 11, 1934, under section 7f of the building zone resolution for consideration as to extension of permit—re Application, permitting in a business district the erection and maintenance of a gasoline service station for a temporary period of two (2) years; premises southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 25, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, September 18, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, September 18, 1934, were approved as printed in Bulletin No. 39, Vol. XIX.

BUILDING ZONE CASES.

153-34-BZ.

APPLICANT—Rhodie & Belous, for Bertha Gerton, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Charles Belous.

For Opposition: Louis Bunkin, Benjamin F. Smith and David K. Shappiro.

ACTION OF BOARD—Laid over to October 9, 1934, at 2 p. m., for report of committee on inspection. No further argument.

556-26-BZ.

APPLICANT—John F. Meehan, for Avonzel Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the board (reopened June 19, 1934).

PREMISES AFFECTED—501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Meehan, John A. C. McGann and Daniel Marshall.

For Opposition: L. C. Squire for Park Dept., Emanuel Goldberg, Mrs. A. L. Boyd, Wm. Mickelson, Belle Lachman, Elizabeth Carroll, Geo. J. Wesslan, Madeleine G. Wesslan, Arthur Connolly, John A. Hermion, Julius A. Reed, Harry Bangeldarf, Wm. Brandt and Frank J. Welton.

ACTION OF BOARD—Laid over to October 9, 1934, at 2 p. m., for report of committee on inspection. No further argument.

121-34-BZ.

APPLICANT—Meyer Wilen, for Novick Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North side of Northern boulevard, 108.78 ft. west of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

APPEARANCES—

For Applicant: Meyer Wilen and Samuel Novick.

For Opposition: Philip J. Reidenbach, Elizabeth P. Reidenbach, Jerome G. Crowley, Harold J. Jones, Theobald Dengler and Margarite McLaughlin.

ACTION OF BOARD—Laid over to October 9, 1934, at 2 p. m., for report of committee on inspection. No further argument.

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 21 and 7c of the building zone resolution, to permit in a residence district the maintenance of an existing shed for the storage of lumber.

PREMISES AFFECTED—North side of 84th drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 64), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: William Kennedy.

For Opposition: Peter M. Horn, Frederick A. Wiehl and A. J. Todaro.

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ACTION OF BOARD—Laid over to October 9, 1934, at 2 p. m., for report of committee on inspection. No further argument.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit the amendment of the resolution adopted by the board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the re-arrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

PREMISES AFFECTED—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Irving Proskauer and Joseph Goodis.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., for report of committee on inspection. No further argument.

123-34-BZ.

APPLICANT—Michael Glick, for Harry Weissberg, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Webster avenue, 157.93 ft. north of East 236th street (Block No. 3398, Lot No. 93), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: Alderman John S. McGinley.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

235-23-BZ.

APPLICANT—Edwin W. Kleinert, for Albert Ritterman, present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—2306-2324 Neptune avenue (Block No. 7015, part of Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing, October 9, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

617-24-BZ.

APPLICANT—Walter Pfaendler, for M. H. S. Realty Corp., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 7c of the building zone resolution, permitting the alteration and conversion of occupancy of building used as a factory, stable and garage, located partly in a business district and partly in an unrestricted district, to a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-57 Third avenue, southeast corner of Atlantic avenue (Block No. 186, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Walter Pfaendler.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(617-24-BZ)

WHEREAS, this application, affecting premises 41-57 Third avenue, southeast corner of Atlantic avenue (Block No. 186, Lot No. 1), Borough of Brooklyn, was granted by the board at its meeting May 5, 1925, on certain conditions, and amended November 14, 1933 and July 17, 1934, and owner requested a further amendment of these conditions as to time limit.

Resolved, that the Board of Standards and Appeals *does hereby amend* its resolution adopted July 17, 1934, amending resolution of November 14, 1933 and May 5, 1925, in view of statement by applicant that all permits have been obtained and that the work is on the way and partially completed, so that the time within which to complete the work shall be extended four months from the date of this amended resolution, *on condition* that the resolution adopted by the board on November 14, 1933, as amended by resolution adopted July 17, 1934, shall be complied with in all other respects.

Adjourned 1:10 p. m.

EDWARD V. BARTON, Chief Clerk.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 25, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

644-20-BZ.

APPLICANT—Samuel Rosenblum, for H. P. C. Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7 (c) and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station (reopened April 24, 1934).

PREMISES AFFECTED—1522-1528 Southern boulevard, northeast corner of East 172d street (Block No. 2982, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: None.

ACTION OF BOARD—Laid over to October 2, 1934, at p. m., upon request of applicant.

273-34-BZ.

APPLICANT—Nathan D. Shapiro and Brothers, for Mansfield Service Station, Inc., owner.

SUBJECT—Request for acceptance as new case—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the extension of an existing gasoline service station, also the erection and maintenance of an office, auto laundry and greasing pits (previous action under Cal. No. 2375-17-BZ).

PREMISES AFFECTED—1314-32 Ocean avenue, west side, 100 ft. south of Avenue H (Block No. 6703, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan D. Shapiro.

ACTION OF BOARD—Application accepted as a new case.

THE VOTE TO ACCEPT AS NEW CASE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

803-27-BZ.

APPLICANT—Martin Weichsel, for Richard Welsh, owner.

SUBJECT—Request for reopening—amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously denied, reopened July 11, 1933; granted on condition November 14, 1933).

PREMISES AFFECTED—Northeast corner of Laurel Hill boulevard and 58th street (Betts avenue), (Block No. 2341, Lot No. 46), Winfield, Borough of Queens.

APPEARANCES—

For Applicant: Martin Weichsel.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

305-33-BZ.

APPLICANT—Samuels and Samuels, for William Berg, owner.

SUBJECT—Application for reopening—restoration to the calendar, having been previously withdrawn—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—104-106 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot Nos. 38 and 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel S. Feinberg.

ACTION OF BOARD—Application reopened, subject to calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

147-34-BZ.

APPLICANT—William J. Boegel, for Clifford Magerle, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing gasoline service station.

PREMISES AFFECTED—Northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: William J. Boegel and Frank Magerle.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(147-34-BZ)

WHEREAS, William J. Boegel, for Clifford Magerle, owner, filed June 1, 1934, an application under the building zone resolution to permit in a business district the extension of an existing gasoline service station; premises: Northwest corner of Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 25, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hillside avenue is in a busi-

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ness district, 188th street is in a residence district and 87th drive is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 16, 1934, re: Plan No. 502/34, reads:

"This is an attempt to extend a gasoline service station with a frontage along Hillside avenue of approximately 43 ft. and located within a business area, 32 ft. eastward of the corner of 188th street all within a business area. It is to be noted, however, that when the City widens 188th Street, thus taking away a frontage of 14 ft. there will remain to the Owner in addition to the plot now in use a frontage of but 18 ft. within the business area. In either instance the extension is contrary to section 4 sub. A-46 of the zone resolution. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on Hillside avenue and 100 ft. on 188th street; upon the plot there is located a two-story frame structure which is to be demolished. This structure sets back from the building line of both streets. On Hillside avenue—between the building and the street line there are located three (3) gasoline pumps and back of these pumps there are located two (2) 550-gallon gasoline tanks. This station is operating under duly authorized permit (as noted in filed letter from fire department dated June 25, 1934). It is proposed to relocate and install additional pumps—including two (2) on 188th street—and also three (3) additional 550-gallon gasoline tanks. Proposes also, to erect on the site an office and lubricating room structure 48 ft. by 27 ft. in area. Proposes to use the entire site as a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and a report of same read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 147-34-BZ;

Premises: Northwest corner Hillside avenue and 188th street (Block No. 1007, Lot No. 1), Hollis, Queens.

This is an application for a zoning variance under section 21 for a gasoline service station, on a plot of ground 75'x100', at the northwest corner of Hillside avenue and 188th street, Hollis, Queens. The frontage along Hillside avenue is 75' and along 188th street 100', and the entire plot is in an area zoned for business use. The property in the rear is zoned for residence use.

At the present time there is on the premises a 2-story and basement frame building formerly used as a hotel and now practically vacant except for an automobile accessory store approximately 40' in width and facing Hillside avenue, in front of which are gasoline pumps constituting an existing gasoline service station which has been in use since prior to 1916. The record from the Fire Department indicates that from that date on there has been an annual permit issued and on these yearly permits the description of the gasoline station has varied. Since March 21, 1925, when a plan was filed which involved the removal of the location of the pumps from the curb to within the building line, the property has been described as including the entire plot of 75'x100', so that the owner has been in possession of a permit for the full plot which he now wishes to use by removing all of the existing buildings and constructing a modern service station. It is understood that the owner has signed a contract of sale for a station to be operated by Sobol Bros., this contract being contingent upon a variation granted by this Board.

While the objection of the Commissioner of Buildings from which this appeal is taken is because of the proposed extension of the non-conforming use, it is evident from the record that the owner is in posses-

sion of a permit covering the entire plot, so that the objection of the Commissioner of Buildings can be considered as having reference to the demolition and reconstruction of an existing building part of which is now used in conjunction with the gasoline service station, permission to do which he was unable legally to grant under section 6 of the zoning resolution, in that it was proposed to entirely demolish the present building and erect new ones. Such permission is beyond the power of the Commissioner of Buildings.

188th street is an entrance street to Grand Central parkway to the North. Under an opinion of the Corporation Counsel rendered on April 23, 1931, this street for a width of 50 ft. is dedicated to street purposes. The present thoroughfare is approximately 60 ft. in width at this point and it is proposed to widen it to 80 ft. in width and, when such widening takes place, such additional land as is necessary will be taken from this plot under appeal. According to advices received from the Engineer in Charge of the Topographical Bureau of the Borough of Queens under date of September 17, 1934, the exact width of this strip for such street widening is apparently not entirely determined but will be from 14 to 20 feet and in any event would require the demolition of the 188th street frontage of the existing building for a depth of several feet. The actual widening of the street is still in the future, but may be brought about any time. Meanwhile, the owner of these premises has a non-fireproof structure thereon which is vacant except for the automobile accessory store and which can be considered a fire menace and not suitable for renovation. Further, until this widening of 188th street is determined upon, he is without information as to the amount of land that is to be taken or the final grade of the street and, consequently, unable safely to embark on a new building project if it were feasible to build a new structure at this time.

A Committee of the Board inspected these premises on several occasions, the latest inspection having been on September 20th, and the Committee is of the opinion that this owner is entitled to a continuation of the use of this entire plot as a gasoline service station and in addition is suffering a hardship because of the uncertainty as to the widening of 188th street and the danger of losing the existing vested rights for a gasoline service station if he should attempt to wreck the building for the purpose of saving the cost of taxes and fire insurance on the building. The Committee is also of the opinion that to bring about the elimination of this building would actually be an improvement and reduction of the local fire menace, and that the proposed gasoline service station would not be a detriment if carried out in an ornamental manner and in accordance with the proposed park design which would not only be appropriate at this corner because of the entrance to Grand Central parkway but also to maintain the best appearance possible for this section of Hillside avenue. A letter from the Park Commissioner, dated Sept. 17, 1934, states that they can find no objection to this increase of area to be used as a gasoline station at this corner.

There have been no consents filed with this application and the objectors are the owners of residential properties to the North toward the parkway and one objector on the opposite side of Hillside avenue. At the hearing it was understood that the main objection was to the riding stable owned by these same owners and abutting at the rear of this site, and the Committee recommends that, if this application be granted by the Board, the owner file with the Board an agreement to discontinue this riding stable within a reasonable period. The Committee also recommends that the Board impose such conditions as to the construction of the gasoline station as will protect the neighborhood and carry out the park appearance and to this end require that there shall be curb spaces at

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least 5 ft. in width constructed on both street fronts between the entrances, these areas to be raised at least 6 inches above the general level of the plot and kept planted with low shrubs and grass; that the gasoline pumps be required to be constructed of masonry foundation similar to those in use on the parkways and that such pumps shall not be the usual painted metal pumps; further that the pumps be required to be placed back of the building line at least 20 ft. The Committee also recommends that no parking or repairing be permitted and that a space along 188th street be kept unbuilt upon for a width of at least 15 ft. to provide for future widening of this street and, in this connection, that the owner agree that when this property is taken for such widening that no claim will be made for damages other than the fair value of the land itself so taken.

The Committee is of the opinion that this station should be granted primarily due to the vested right of the owner, but granting of this application by the Board should not be considered as a precedent for granting other stations in this vicinity where land may be vacant and unimproved. The Committee further recommends that the above-referred-to curbs shall be constructed of reinforced concrete with adequate footings and that plans shall be submitted to and approved by the Chairman on behalf of the Board before submission to the Commissioner of Buildings.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, the board deemed that the application should be granted, due to the owner's vested right, and that he had substantiated his application under section 21 of the building zone resolution,—hardship

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution under section 21 and that the application be and it hereby is *granted*, permitting the site under appeal to be used for a gasoline service station, *on condition* that the plot shall be cleared of all buildings and structures and leveled to meet approximately the grades of Hillside avenue and 188th street; that the accessory buildings erected shall consist of office section and salesroom and a section for lubricating and washing, as indicated on plans filed; that such buildings shall be of the indicated architectural design, constructed of face brick and terra cotta; that these buildings shall be constructed of fireproof materials throughout except that the roof beams may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the weather surfacing of fireproof material; that the window frames and door frames may be of wood; that there shall be no windows opening on the north and west sides to the adjacent property; that if doors are installed in the section used for greasing, the grease pits shall be ventilated by means of a vaporproof fan with ducts through and above the roof; that there shall be no excavation under these buildings except the pits for the greasing racks; that where not covered by accessory buildings there shall be constructed on the interior lot lines a wall constructed of face masonry on both sides for a height of 7 ft. or a similar wall 4 ft. high with a wood fence to the 7 ft. height, except that this wall may be constructed at a height of 4 ft. at the street building line and graduated at the rate of one foot in four up to the 7 ft. height; that there shall be constructed along the street frontage of Hillside avenue and along the new line of the widened 188th street curbed areas not less than 5 ft. in width protected by concrete curbing not less than 5 in. in height, in which areas shall be maintained low shrubbery and grass

or other suitable planting, these areas to be continuous on both street fronts except for openings for entrance to the gasoline service station which entrances shall not exceed 20 ft. in width each, with not more than two such openings from Hillside avenue and two from 188th street, with curb cuts opposite not exceeding 25 ft. in width; that no openings shall be nearer than 10 ft. from the corner formed by the intersection of 188th street and Hillside avenue, nor nearer than 5 ft. from either interior lot line; that the entire property, where not covered by accessory buildings, walls and planting areas, shall be cement paved; that gasoline pumps erected shall be not nearer than 20 ft. from any street building line; that gasoline pumps installed shall be mounted on masonry bases with no metal part of the pump exposed, other than the illuminated globes and pump mechanism; that such masonry bases shall be of the same material as the exterior walls of the accessory building; that there shall be no advertising of non-conforming use maintained on the premises, other than one sign on the front of the accessory building and the illuminated globes of the gasoline pumps and one post upright sign within the property lines near the street intersection; that there shall be no motor vehicle repairing carried on and no parking of cars other than those being serviced; that there shall be no portable gasoline pumps used on or from the property; that lights for illumination shall be on pipe standards with metal reflectors so arranged as to reflect downwardly to avoid excessive glare to the adjoining properties; that no open flame shall be permitted on the premises, except that if a room for general heating is constructed, as indicated on the plan, such room shall be surrounded with fireproof walls and separated entirely from the balance of the building and accessible only from the exterior of the building; that there shall be filed with this board an agreement signed by this owner that the adjacent building to the north under his ownership or controlled by him and now used as a riding stable will be reconstructed and improved within a period of two years; that the stable yard will be enclosed on all sides with a fence or wall not less than 6 ft. in height; that plans are to be submitted to the Board and approved by the Chairman in behalf of the Board, before same are filed with the Commissioner of Buildings; that all permits shall be obtained within six months and all work completed within one year from the date of this action

201-33-BZ.

APPLICANT—Edwin H. Snackenberg, for Samuel Rosenwasser, present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—18-20 Flushing avenue, southeast corner of North Elliott place (Block No. 2027, Lot Nos. 23 and 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin H. Snackenberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(201-33-BZ)

WHEREAS, this application affecting premises 18-20 Flushing avenue, southeast corner of North Elliott place (Block No. 2027, Lot Nos. 23 and 24), Borough of Brooklyn, was granted by the board November 8, 1933, on certain conditions, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on November 8, 1933, as amended by resolution of May 8, 1934, be amended to read as follows:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, under section 21, and that the application be and it hereby is granted *on condition* that the plot shall be leveled substantially to the grade of Flushing avenue and North Elliott place; that accessory buildings shall be constructed along the southerly lot line, as indicated on revised plans marked 'received September 20, 1934'; that such accessory buildings shall consist of the existing brick building to be repaired and used for office and a new brick building for greasing pits; that these buildings shall not exceed one story in height and shall be constructed of fireproof materials except that the roof beams and roof boarding and the windows and doors may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the weather roof surfacing shall be of fireproof material; that there shall be no windows opening on the interior lot lines to the adjacent property; that where not covered by accessory buildings, there shall be erected on the interior lot lines a brick wall not less than 8 ft. in height above the adjoining yard grade; that this wall may start with a height of 4 ft. at the street building line at Flushing avenue and be increased in height at the rate of one foot in four to the 8-foot height; that there shall be no excavation under the accessory buildings except the pits for the greasing racks; that any pumps installed on the property shall be removed at least 10 feet from the street building lines; that the plot where not occupied by accessory buildings shall be cement paved; that there shall be erected along the street building lines a concrete curb constructed of reinforced concrete with reinforced concrete foundation; that this curb shall be not less than 12 in. in width and not less than 6 in. in height; that the top of this curbing may be rounded; that the openings within this curb shall not exceed four, two from North Elliott place and two from Flushing avenue, no opening exceeding 18 ft. in width, with curb cuts opposite not exceeding 20 ft. in width; that no part of any opening shall be nearer than 4 ft. to the corner formed by the intersection of the two streets nor nearer than 3 ft. from the interior lot lines on Flushing avenue nor the corner of the office building on North Elliott place; that there shall be no portable gasoline pumps used on or from the property; that there shall be no automobile repairing carried on; that there shall be no parking of cars other than those being serviced; that any signs advertising nonconforming uses shall be restricted to the illuminated globes of the gasoline pumps and to flat wall signs permanently attached to the front of the buildings or the brick walls and to one pole standard erected within the building line near the street intersection; that illumination shall be on standards with metal reflectors so arranged as to shine downwardly; that no open flame shall be permitted on the property; that all permits required shall be obtained within three months and all work involved completed within nine months from the date of this amended resolution."

381-32-BZ.

APPLICANT—Martin J. Ort, for Polros Building Company, owner.

SUBJECT—Application for reopening—extension of time—re Application under section 21 of the building zone resolution, to permit in a business district the alteration of a garage to include a gasoline service station.

PREMISES AFFECTED—1632-1638 Fulton street, south side, 25 ft. east of Troy avenue (Block No. 1700, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Martin J. Ort.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(381-32-BZ)

WHEREAS, this application affecting premises 1632-1638 Fulton street, south side, 25 ft. east of Troy avenue (Block No. 1700, Lot No. 7), Borough of Brooklyn, was granted by the board December 2, 1932 on certain conditions, and applicant requests an extension of time.

Resolved, that the Board of Standards and Appeals *does* hereby *amend* its resolution adopted December 2, 1932, in view of the statement by applicant that all permits required have been obtained and *extends* the time within which to complete the work involved six months from the date of this amended resolution, *on condition* that other than as amended herein the resolution adopted by the board on December 2, 1932, shall be complied with in all respects.

249-33-BZ.

APPLICANT—John M. Montfort and John Eberson, for The Texas Company, lessee under long term lease.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) granted under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1312-1314 Fifth avenue, northwest corner of West 110th street (Block No. 1594, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

MINUTES

THE RESOLUTION—

(249-33-BZ)

WHEREAS, this application affecting premises 1312-1314 Fifth avenue, northwest corner of West 110th street (Block No. 1594, Lot No. 36), Borough of Manhattan, was granted by the Board November 8, 1933 on certain conditions and the present lessee requested an amendment to the resolution.

Resolved, that the resolution adopted November 8, 1933 be amended to read as follows:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution under section 21 and that the application be and it hereby is *granted on condition* that the existing buildings on the premises shall be completely removed; that there shall be erected along the northerly and westerly lot lines for their full length a brick wall, suitably coped with stone or terra cotta, not less than 20 ft. in height; that there shall be no openings in the interior lot line walls to the adjacent property to the north and west; that such accessory buildings as are erected on the property, consisting of office section, greasing racks and concessions, shall be erected toward the northerly and westerly portion of this plot; that the portion housing the greasing racks shall have an open front; that the rear walls of these accessory buildings may be incorporated in the lot line brick walls; that these buildings shall not exceed one story in height and shall be of fireproof construction; that there shall be no accessory building or other building at the corner of Fifth avenue and the Circle; that the space not occupied by accessory buildings shall be cement paved; that such gasoline pumps that are erected shall be at least 10 ft. from the street and interior lot lines and not nearer than 10 ft. from any accessory or concession building; that there shall be erected along the street building lines concrete curbs, not less than 12 in. in width and 6 in. in height; that there shall be one opening from Fifth avenue not nearer than 5 ft. from the side wall of the accessory building or nearer than 5 ft. from the intersection formed by Fifth avenue and the Circle and that there shall be not over two openings to the Circle, not nearer than 5 ft. from the intersection of Fifth avenue and the Circle or from the westerly building line or, if the concession building is erected at this point, not nearer than 5 ft. from the northeasterly wall of this building; that there shall be a curb between these two openings not less than 15 ft. in length; that curb cuts opposite these openings shall not exceed 30 ft. each; that there shall be no excavation under any of these buildings except the pits under the greasing racks, except that there may be retained the existing cellar under the proposed shop located adjacent to the northerly interior lot line on the Fifth avenue side, *on condition* that such cellar shall not exceed an area of 400 sq. ft.; that these buildings and walls shall be constructed of face or enamel brick, glazed terra cotta, or structural glass; if structural glass is used, lights used at night for illuminating this glass shall not exceed bulbs of 15 watt capacity each, installed not nearer than 30 in. on centers; that there shall be no portable gasoline tanks operated on or from the property; that signs advertising non-conforming use shall be limited to the illuminated globes of the gasoline pumps, excluding signs of a temporary nature, that there shall be no signs erected on the roofs of the accessory buildings; that illumination shall be by means of standards with reflectors of metal arranged to shine downwardly; that complete working drawings shall be submitted to the board for approval by the chairman in behalf of the board before submission to the commissioner of buildings; that all permits required shall be obtained within three months and all

work completed within nine months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE ORDERS.

225-34-A.

APPELLANT—Tridex Machine Corporation, for Cadillac Motor Car Company, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—60-74 Columbus avenue (Block No. 1134, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Appellant: C. H. Alvord.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., pending inspection by committee of the board.

239-34-A.

APPELLANT—David Kaufman, for Jules Friedman, lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—552 West 55th street and 794 11th avenue, southeast corner (Block No. 1083, Lot No. 61), Borough of Manhattan.

APPEARANCES—

For Appellant: David Kaufman.

For Administration: Inspector Meyer of department of buildings.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., pending inspection by committee of the board.

210-34-A.

APPELLANT—Bernard Capehart, for Sky Harbor, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Pier, foot of 155th street and North River, Borough of Manhattan.

APPEARANCES—

For Appellant: Bernard Capehart.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., pending inspection by committee of the board.

220-34-A.

APPELLANT—Paul C. Hunter, for Chelsea-Moore Corporation, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—531-541 West 23d street (Block No. 695, part of Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Appellant: Albert E. Straker.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

MINUTES

THE RESOLUTION—

(220-34-A)

WHEREAS, Paul C. Hunter, for Chelsea-Moore Corporation, owner, filed July 31, 1934, an appeal from a decision of the commissioner of buildings, affecting premises 531-541 West 23d street (Block No. 695, Part of Lot No. 15), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated July 19, 1934, reads:

"Answering your letter of July 16, 1934, with reference to application for a certificate of occupancy for above premises, you are advised that as the building is over 15,000 sq. ft. in area, it will be necessary to divide same with a fire wall or provide a standpipe system in accordance with the Board of Standards and Appeals rules."

and

WHEREAS, the building is non-fireproof, one story (17 ft., 6 in.) in height, 166 ft. by 98 ft. 9 in. in area; OCCUPIED as a garage for the storage and sale of more than five motor vehicles; located within an unrestricted district; and

WHEREAS, the appellant claims the original building was 3 stories, erected about 1884 for factory use; altered about 1912 to one story in height and used as an exide storage battery station; at present it is used as a garage for the storage and sale of used cars; there is no school or hospital in the same block nor within 200 ft. of the premises; the present tenancy is temporary and subject to terminate on thirty days notice; the owner is negotiating a long term lease for this property which would involve the demolition of the building; furthermore, the interior area of the building is only 816 sq. ft. more than the 15,000 sq. ft. area where a standpipe system would not be required; to install a standpipe system under such condition would be an unnecessary hardship.

Resolved, that the decision of the Commissioner of Buildings be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the premises shall be used as a non-storage garage and salesroom; that there shall be no gasoline stored or on sale on the premises; that all except not over 10 cars stored within the building shall have their tanks empty of gasoline; that such auxiliary fire-fighting appliances shall be installed as the fire chief and commissioner may direct and that this variance shall be for a period of one year only from the date of this action.

228-34-A.

APPELLANT—K. & O. Bakery, Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—892-896 Bergen street (Block No. 1149, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Appellant: Abraham N. Horowitz.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(228-34-A)

WHEREAS, K. & O. Bakery, Inc., Lessee, filed August 7, 1934, an appeal from an order and a decision of the fire commissioner, affecting premises 892-896 Bergen street (Block No. 1149, Lot No. 24), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated December 16, 1933, re: Order No. 62772-LC, reads:

"1. Permanently brick up with solid masonry at least 8 in. in thickness the door opening in division wall separating the garage from enclosure where baking doors are located. Section 159."

and

WHEREAS, the decision of the fire commissioner, dated July 30, 1934, reads:

"In reply to your letter of July 25th, advising that you have been retained by the owners to appeal from the requirements of Order No. 62772-LC and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, twenty (20) days, had elapsed, and request dismissal and reissuance of the above order.

"You are advised that the order cannot be dismissed or reissued. Therefore, your request is denied."

and

WHEREAS, the building is non-fireproof, one story (12 ft.) in height, 63 ft. by 153 ft. 6 in. in area; OCCUPIED: cellar, boiler room; 1st story, bakery, non-storage garage, office and store; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected in 1914, altered in 1921; certificate of occupancy issued in 1921 for bakery, garage and store, no alteration has been made since 1921; the garage is used to store two commercial cars as an accessory to the business conducted on the premises; the garage is provided with a concrete floor, metal-covered ceiling, enclosed with 12 in. brick walls with a doorway leading to bakery and protected by automatic fire doors on both sides of the wall; there is no excavation under the garage nor under that portion of the bakery adjacent to the garage, the boiler room is under the bakery at the extreme rear of premises; furthermore, the appellant contends that the fire protection provided for the opening between garage and bakery is equivalent to that required under the Code of Ordinance; there is no existing fire hazard on the premises.

Resolved, that the order of the fire commissioner, No. 62772-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* permitting the continuance of the fireproof self-closing doors on both sides of the 12 in. brick wall separating the garage from the balance of the building used as a bakery *on condition* that these doors shall be maintained in good working order without obstruction at all times; that there shall be not over two commercial vehicles stored in the garage; that no gasoline shall be stored on the premises other than in the tanks of the cars; that all doors opening from the garage to the office and store facing Bergen street shall be fireproof self-closing; and that such auxiliary fire-fighting appliances shall be installed within the garage as the fire chief and commissioner may direct.

175-34-A.

APPELLANT—J. H. McDowell, for Germain Stores, Inc., owner.

SUBJECT—Appeal from an order and decision of the commissioner of buildings.

PREMISES AFFECTED—544-550 Fifth avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 and 52), Borough of Brooklyn.

APPEARANCES—

For Appellant: J. H. McDowell.

For Administration: None.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(175-34-A)

WHEREAS, J. H. McDowell, for Germain Stores, Inc., owner, filed June 19, 1934, an appeal from an order that a decision of the commissioner of buildings, affecting premises 544-550 Fifth avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 & 52), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated March 1, 1934, re: Order No. 1435-LF, reads:

"An inspection of premises 544-50 5th avenue (192-11 15th street), Borough of Brooklyn, shows a fire hazard to correct which you are hereby specially directed within 20 days to do the following

"1. Install an approved standpipe system in accordance with the Rules of the Board of Standards and Appeals, section 580-1, chapter 5, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated June 1, 1934, reads:

"With reference to your letter of May 21st, relative to Order No. 1435-LF issued against above premises and reading as follows:

"Install an approved standpipe system in accordance with the Rules of the Board of Standards and Appeals, section 580-1, Code of Ordinances."

"You are advised that certificate of occupancy, while granted for a department store in the cellar and on the first, second and third stories, does not waive the required necessity for the installation of a standpipe system. Resolution of the Board of Standards and Appeals, April 23, 1929, granted appeal on the following conditions:

'that the premises shall be equipped with a one-source sprinkler system, in accordance with rule 47 of the SPRINKLER RULES; that the building shall be not increased in height or area, and so long as conditions as to occupancy and use remain substantially unchanged.'

"Our report shows that this building has been increased in height and area subsequent to the above resolution and that occupancy likewise has been changed. Therefore, Order No. 1435-LF requiring the installation of a standpipe must be complied with."

and

WHEREAS, the building is non-fireproof, 3 stories and basement (37½ ft.) in height, 198½ ft. 6½ in. by 100 ft. and 76 ft. 6 in. irregular in depth, about 17,500 sq. ft. in area at each of basement, 1st and 2d stories, about 7,500 sq. ft. in area at 3d (Mezzanine) story; OCCUPIED as a department store: basement, store, 30 persons; 1st story, store, 65 persons; 2d story, store and storage, 6 persons; 3d (Mezzanine) story, storage, 2 persons; located within a business district; and

WHEREAS, the appellant claims that under Cal. No. 988-28-A, the board in 1929 granted omission of the standpipe system on condition that a one source sprinkler system be provided, the building be not increased in height or area and the occupancy remain unchanged; a two source sprinkler system was installed; alterations made to the building since 1929 increased the area of the building about 3,100 sq. ft. at basement and 1st story, a clere story extending to main roof has been erected over the 1st story extension roof enclosing the entire area of the building, and the sprinkler system extended to cover the entire building; the maximum height of the building remains the same;

the occupancy is changed to 5 persons less in basement, 15 persons more in 1st story, 5 persons more in 2d story, and 2 persons more in 3d story; due to the alterations certificate of occupancy was issued May 1, 1934 permitting the use of the building as a department store; furthermore, the appellant contends the building is now equipped with an approved two-source sprinkler system with siamese connections on both street fronts, fed through a 6-in. connection to the 15th street water main fed both ways with 45 pounds pressure, and connected with central office by water flow alarm; such sprinkler system is not required by law but provides better fire protection than standpipes; the building is located on a corner lot, fire hydrants are directly in front of the building on each street; the exits are adequate and exceed the requirements of law.

Resolved, that the order of the Commissioner of Buildings, No. 1435-LF be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building as now existing shall not be further increased in height or area and that the requirements of the resolution in Cal. No. 988-28-A, adopted by the board on April 23, 1929 shall be complied with in all respects; *on the further condition* that all lot line windows shall be fire-proof self-closing and that the exit at the northerly end of the building from the upper stories shall be separated from the adjacent exit from the basement; that such auxiliary additional fire-fighting appliances shall be installed as the fire chief and commissioner may direct; and that the requirements of the Sprinkler Rules shall be complied with in all respects.

PETITIONS FOR VARIATIONS.

235-34-S.

PETITIONER—Robert A. Fash, for Isabel C. Nash, owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—290 Fifth avenue (Block No. 832, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Petitioner: Robert A. Fash.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Laid over to October 2, 1934, at 2 p. m., pending inspection by committee of the board.

555-31-S.

PETITIONER—James Kearney, for Estate of Geo. W. Wilson, owner.

SUBJECT—Application for reopening—Variation of the Labor Law as cited in orders and decision of the fire commissioner.

PREMISES AFFECTED—93-99 Nassau street, 28-30 Ann street and 135-139 Fulton street (Block No. 89, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Petitioner: James Kearney and Henry G. Opdycke.

For Administration: None.

ACTION OF BOARD—Petition reopened and restored to calendar and set for hearing, October 9, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

MINUTES

APPLIANCES SUBMITTED FOR APPROVAL.

221-34-SA.

PETITIONER—The Ohio Pattern Works and Foundry Co., owner; M. A. Monroe, agent.

SUBJECT—The Ohio Pattern Works and Foundry Co. Curb Fill Box (Gasoline), approval of.

APPEARANCES—

For Petitioner: M. A. Monroe.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and Bureau of Combustibles, fire department, for test and report.

250-34-SA.

PETITIONER—J. W. Hirsch, Agent for: Automatic Burner Corp.

SUBJECT—A. B. C. Range Burner Assemblies AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly, approval of.

APPEARANCES—

For Petitioner: J. W. Hirsch.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and Bureau of Combustibles, fire department, for test and report.

251-34-SA.

PETITIONER—No-Wyck Products Corp., owner.

SUBJECT—No-Wyck Range and Stove Oil Burner, approval of.

APPEARANCES—

For Petitioner: J. W. Newberry.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and Bureau of Combustibles, fire department, for test and report.

256-34-SA.

PETITIONER—Lee A. Kelly, for Standard Sanitary Mfg. Co., owner.

SUBJECT—"Standard" One-Piece Closet Combination, approval of.

APPEARANCES—

For Petitioner: Lee A. Kelly.

ACTION OF BOARD—Petition placed on reserve calendar, referred to the engineer of the board for test and report.

263-34-SA.

PETITIONER—Frank Glanz, for Preferred Utilities Co., Inc., for The Lonergan Manufacturing Company, owner.

SUBJECT—Lonergan Oil Burning Heater, Models F-2, F-3 and C-4, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and Bureau of Combustibles, fire department, for test and report.

249-34-SA.

PETITIONER—J. W. Hirsch, Agent for: Automatic Burner Corp.

SUBJECT—A. B. C. FA-9 Automatic Water Heater, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

382-26-SA.

PETITIONER—Grant Oil Burner Corporation.

SUBJECT—Application for Reopening—Gulf Oil Burner—change of name.

APPEARANCES—

For Petition: G. Sivertsen.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(382-26-SA)

WHEREAS, this application for the approval of the Grant Oil Burner was approved by the board October 26, 1926, thereafter an application was made to change the name of this burner to the Gulf Oil Burner which change of name was approved by the board November 29, 1927, and request has now been made to restore the original name.

Resolved, that the Board of Standards and Appeals *does* hereby *amend* its resolution adopted on November 29, 1927, approving the change of name of the appliance herein affected, so that the oil burner approved by the board under date of October 26, 1926, as the Grant Oil Burner shall be known as the Gulf Oil Burner until September 25, 1934 and thereafter shall be known as the Grant Oil Burner, *on condition* that the burner shall comply in all respects to the model originally approved and shall comply with all requirements of the Oil Burner Rules for use in domestic and commercial installations.

400-32-SA.

PETITIONER—Arnold M. Goldstein, for Perfection Stove Co., owner.

SUBJECT—Superfex Oil-Burner, Warm-Air Furnace—Request for reopening re amendment.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(400-32-SA)

WHEREAS, this application for approval of this device known as the Superfex Oil Burner for warm air furnace

MINUTES

was approved by the board January 20, 1933 and the resolution amended April 17, 1934, and applicant requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 17, 1934, approving the device known as the Superfex Oil Burner for Warm Air Furnaces and the said burner with booster and air-conditioning unit in domestic and commercial installations, when installed in accordance with the report of the

engineer of the board and the Bureau of Combustibles and in accordance with the Oil Burner Rules of the Board of Standards and Appeals, and provided that in commercial installations the premises shall not be used for occupancies deemed hazardous by the fire chief and commissioner.

Adjourned, 4:50 p. m.

EDWARD V. BARTON, Chief Clerk.

RULES

RULES FOR THE TESTING OF WOOD

Pursuant to the Provision of Section 356 of Chapter 5 of the Code of Ordinances (Building Code).

(639-27-SR)

Adopted by the Board of Standards and Appeals July 22, 1927. Amended March 16, 1928.

Rule 1. Before any wood may be used for flooring or interior trim where incombustible materials are required under the provisions of section 356 of the Building Code, the commissioner of buildings must be notified promptly upon the delivery at the job of a consignment of such material. One test sample for each 2,000 feet of material will then be selected by a representative of the Department of Buildings, marked for identification, and forwarded to the testing laboratory, where, under the supervision of the commissioner of buildings or his representative, the samples shall be subjected to the following tests:

Before making tests, all specimens for testing shall be oven dried at a temperature of 140° F. to a point where there is no further loss of weight due to evaporation of moisture content.

A. SHAVING TEST—A mass of shavings cut fairly thick from the outside and interior of sticks of the treated wood are to be tested separately. These shavings shall be placed to a depth of two inches in a metal vessel twelve inches square, the bottom of which shall consist of a wire screen of ½ inch mesh. The shavings shall be packed down moderately to reduce the air spaces. A Bunsen yellow flame shall then be placed beneath the receptacle so that the flame is in contact with the shavings. After twenty-five seconds the flame shall be removed. The flame at no time should show higher than six inches above the top of the bed of shavings and the shavings should not be consumed in less than five minutes.

B. TIMBER TEST. Two samples ¾ inch by 1½ inches in cross section and twelve inches long shall be

laid side by side across the top of a gas crucible furnace with a pyrometer between them. The specimens shall be subjected to a flame at 1700 deg. Fahrenheit for two minutes, the test pieces shall then be removed, and the time of duration of flame and glow observed. The sticks shall then be cut through the middle at the most burned section and the area of the unburned wood measured with a planimeter. The flame must not persist longer than 15 seconds nor the glow longer than 20 seconds, and, in the case of hard woods, the unburned area should not be less than 55 per cent., nor in the case of soft woods less than 45 per cent.

C. CRIB TEST—Twenty samples are to be prepared, each ½ inch square and 6 inches long. These shall be built up on a ring support to form a crib work five tiers high, four sticks to a tier, making the crib six inches by six inches, and approximately 2½ inches high. The crib shall be set six inches above a Bunsen burner to which the crib shall be exposed for a period of one minute at a temperature approximating 1200 deg. Fahrenheit. The flame must not persist more than twenty seconds after the Bunsen burner is removed, nor the glow last more than thirty seconds. The tendency of the flame to spread from stick to stick must also be noted.

Rule 2. All of the above tests shall be at the expense of the owner or contractor, or other interested party.

If the tests are satisfactory the entire shipment will be permitted to be taken into the building and used. If not, the entire shipment shall be condemned and must be removed from the premises.

In general, acceptance shall be predicated upon the existence of a complete plant in full working order from which the material is shipped, and each shipment, or, where possible, each piece shall be trade marked in a conspicuous manner so that there may be no doubt as to its identity.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA	Gar Wood Oil Burner.....	373-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Alida Oil Burner.....	124-34-SA	General Electric Fuel Oil Burner.....	434-32-SA
Arcoil Heat Machine.....	632-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Auto-Heat Oil Burner.....	284-33-SA	Ghapco Steam Generator.....	348-31-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gill Oil Burner.....	1231-23-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Berggren Oil Burner.....	764-26-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Grant Oil Burner	382-26-SA
Bettendorf Oil Burner.....	731-28-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner.....	813-25-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner.....	1162-24-SA
Branford Oil Burner.....	36-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner	696-30-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heatator Oil Burner.....	1346-23-SA
Calorcoil Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S.....	229-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Carborundum Burner	571-29-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Carter-Korth Oil Burner	54-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Carter Oil Burner, Models 4X and 5X.....	117-34-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Century Oil Burner.....	157-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Inferno Oil Burner.....	82-33-SA
Challenger Oil Burner, Model "A".....	86-34-SA	International Mechanical Draft Oil Burner...	372-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	International Oil Burner.....	1305-24-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Cook's Automatic Oil Burner.....	955-27-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Joyce Oil Burner.....	852-26-SA
Crescent Oil Burner	222-29-SA	K. F. C. Oil Burner.....	846-25-SA
Crescent Type M Size I Oil Burner.....	592-31-SA	Kelco Oil Burner.....	237-33-SA
Crown Oil Burner, Type XA.....	426-29-SA	Kelvinator Oil Burner.....	339-31-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
D'Elia Oil Burner.....	155-31-SA	Kleen Heet Oil Burner.....	62-24-SA
Delco Heat Oil Burner.....	420-31-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
DeWalt Oil Burner.....	541-31-SA	Kreager Oil Burner.....	367-30-SA
Dist-o-matic Oil Burner.....	663-28-SA	Kres-Kno Oil Burner.....	443-28-SA
Doe Oil Burner.....	317-31-SA	Laco Oil Burner, Model NL.....	670-30-SA
Doherty Oil Burner.....	943-26-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Lange Economical Oil Burner.....	355-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	Lawrence May Oil Burner.....	1034-27-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Leader Oil Burner.....	425-31-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Ember-Glo Oil Burner.....	462-32-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Espo Oil Gas Burner.....	1431-23-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
Evenheet Oil Burner.....	554-32-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Everedy Oil Burner.....	102-33-SA	Magna Fuel Oil Burner.....	197-33-SA
Fairfield Oil Burner.....	584-31-SA	Majestic Oil Burner.....	693-30-SA
Faultless Oil Burner.....	493-24-SA	Marr Oil Heat Machine.....	765-26-SA
Florence Oil Heater, Model KC-9.....	62-33-SA	Master Fuel Oil Burner.....	350-32-SA
Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA		
Fluid Heat Oil Burner.	361-32-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
May Oil Burner.....	68-24-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
May Oil Burner, Type BB.....	46-34-SA	Schulze Home Oil Burner.....	1487-23-SA
Mayfield Oil Burner.....	568-31-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Mayflower Oil Burner.....	124-29-SA	Security Oil Burner.....	56-28-SA
McIlvane Oil Burner.....	544-29-SA	Shepard Oil Burner.....	563-30-SA
Melco Automatic Oil Burner, Type "A"....	1032-25-SA	Shill Oil Burner.....	315-30-SA
Merco Oil Burner.....	637-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Oil Burner.....	458-26-SA
Morrissey Oil Burner.....	673-27-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Glow Oil Burner, Models 800, 1000, 1800 and 2800	345-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Mousette Oil Burner.....	887-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Airoil Low Pressure Burner.....	186-29-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
National Rotary Oil Burner.....	836-25-SA	Standardyne Oil Burner.....	34-34-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
New Process Oil Burner.....	1071-27-SA	Stuhler Oil Burner.....	618-27-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Summerheat Oil Burner.....	581-26-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Nokol Automatic Burner.....	1078-24-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Nu-Way Oil Burner.....	773-26-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Oilbuilt Burner	85-33-SA	Sun Heat Oil Burner.....	603-29-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Oronogue Oil Burner.....	394-30-SA	Sunway Oil Burner.....	624-30-SA
Orr Fuel Oil Burner.....	113-26-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Packard Fuel Oil Burner.....	77-34-SA	Superfex Oil Burning Heater.....	491-31-SA
Paramount Oil Burner.....	1193-25-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Paramount Oil Burner, Model A.....	617-30-SA	Superheat Oil Burner, Model D.....	254-33-SA
Pascoe Oil Burner.....	1029-26-SA	Sword Automatic Oil Burner.....	951-25-SA
Petro Domestic Burner.....	161-26-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Petro Model T Oil Burner.....	451-31-SA	Thoroburn Oil Burner, Model A-1-16-G.....	269-33-SA
Petro Model W Oil Burner.....	452-31-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Burner, Model O.....	78-28-SA	Timken Rotary Oil Burner.....	297-29-SA
Petro Burner, Model P-2.....	735-30-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Petro Oil Burner, Model W-2	244-33-SA	Todd Spiro Oil Burner.....	470-31-SA
Petro Oil Burner, Models W-1 and W-1½..	245-33-SA	Todd Spiro Burner (pump type).....	94-32-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Toridheet Oil Burner.....	63-28-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Powerlight Oilheat Burner.....	628-23-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
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Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Universal Fuel Oil Burner.....	6-24-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Vaporoil Burner	44-32-SA
Quaker Burnoil Stove.....	11-31-SA	Vesta Oil Burner.....	451-26-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Victor Oil Burner.....	612-30-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Victory Oil Burner.....	320-30-SA
Rayfield Oil Burner.....	504-26-SA	Viking Oil Burner.....	396-32-SA
Real Host Oil Burner.....	38-34-SA	Volcano Automatic Oil Burner.....	556-29-SA
Re-Ly-On Oil Burner.....	745-26-SA	Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2.....	341-33-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Warner Oil Burner, Model A.....	16-34-SA
Remington Oil Burner.....	891-26-SA	Wayne Oil Burner.....	1155-25-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Wheco Oil Burner.....	108-34-SA
Rickard Oil Burner.....	1011-27-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB and R.....	918-22-SA
Rotoflame Oil Burner.....	187-33-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	Wizard Automatic Oil Burner.....	181-33-SA
S & K Wide Range Fuel Oil Burner.....	10-33-SA	York Automatic Oil Burner.....	44-29-SA
S-K Oil Burner, Model F.....	369-33-SA		
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA		

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
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Cases filed up to September 26, 1934.....	273	Dismissed	13
Restored to Calendar.....	75	Denied	90
		Granted	0
		Granted on condition.....	136
		Appliances approved	43
		Appliances dismissed, disapproved or withdrawn....	30
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
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Requests for modification.....	1	Requests to amend granted.....	76
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	44	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	44
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	937	Requests for extension of permit granted.....	12
Disposed of	725	Requests for extension of permit denied.....	0
Cases pending September 26, 1934.....	212	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	13
		Total.....	725

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELLIGOTT
EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.
TELEPHONE—WORTH 2-0184.
OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.
All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—

- Docket.
- Call of Clerk's Calendar.
- Notices in Building Zone Cases.
- The Trial Calendar.
- Minutes of Regular Meeting, October 2, 1934, at 10 A. M.
- Minutes of Regular Meeting, October 2, 1934, at 2 P. M.
- Approved Fuel Oil Pumps.
- Third Quarterly Report.
- Approved Fireline Hose Valves.
- Approved Burners for Industrial Use.
- Reserve Calendar.
- Concrete Rules (Hydrated Lime).
- Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, October 8, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, October 15, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to October 3, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
279-34-A.....	F.D.....	113-14 Jamaica ave. (Block 220, Lot No. 6), Richmond Hill, Queens. Order No. 22A.
278-34-A.....	D.B.M....	103-125 8th ave. and 301-365 West 15th st., N.W. cor. (Block 739, Lot No. 1), Manhattan. Applic. 480-34.
277-34-A.....	D.B.M....	109-113 West 45th st. (Block 998, Lot 26), Manhattan. 15552-F and 15553-F.
276-34-SA.....	F.D.....	Gem Model "O" Fire Extinguisher, Appliance.
275-34-SA.....	F.D.....	Vapomatic Oil Burner, Appliance.
274-34-SA.....	F.D.....	B. & H. Radiant Stove Oil Burner, Appliance.

Restored to Calendar.

500-28-BZ.....	D.B.Bx....	Northwest cor. of Bailey ave. and West Kingsbridge rd. (Block 3264, Lot 30), The Bronx. N.B. 192-34.
443-26-SA.....	F.D.....	American Anti-Syphon Valve, Appliance.
722-23-BZ.....	D.B.Bx....	2235 Webster ave., S.W. cor. of East 182d st. (Block 3143, Lot 65), The Bronx. Alt. 467-34.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

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CALL OF CLERK'S CALENDAR.

MONDAY, OCTOBER 8, 1934, AT 2 P. M.

Building Zone Cases.

193-34-BZ.

APPLICANT—Edward Winter (Lessee), for Henry Ruttenberg, owner.

PREMISES—Northeast corner of Watjean Court and Fernside avenue (Block No. 271, Lot Nos. 1 and 38), Far Rockaway, Borough of Queens.

APPLICATION, under sections 7f and 21 of the building zone resolution,

TO PERMIT in a residence district an office and parking space for more than five motor vehicles.

212-34-BZ.

APPLICANT—Louis A. Brown, substituted for Bailey & Ferrara, for Mabel O. Parker, owner.

PREMISES—1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

222-34-BZ.

APPLICANT—Samuels & Samuels, for Meyer Werman, owner.

PREMISES—Southeast corner of Little Neck parkway and Hillside avenue (Block No. 4523, Part of Lot No. 51), Floral Park, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

223-34-BZ.

APPLICANT—Kennedy & Ellner, for Albert V. Leudermann, Lillian B. Leudermann and Lena Wenner, owners.

PREMISES—Northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot No. 1), Bay-side, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

227-34-BZ.

APPLICANT—Samuels & Samuels, for Jacob Morgenthaler Sons, owner.

PREMISES—Southeast corner of Queens boulevard and 51st avenue (Block No. 2472, Lot No. 9), Elmhurst, Borough of Queens.

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APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

OCTOBER 9, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 9, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 167-34-BZ—Application, June 18, 1934, under section 21 of the building zone resolution, of Vincent M. Cajano, applicant, on behalf of Insular Realty Corporation, owner, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises 1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn.

CAL. NO. 168-34-BZ—Application, June 19, 1934, under section 21 of the building zone resolution, of Philip Schmeizer, applicant and lessee, on behalf of Ida M. Melton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises south side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Borough of Queens.

CAL. NO. 1058-24-BZ—Application of Max Klein, on behalf of Max Tharler, owner, reopened May 29, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop; premises east side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), Borough of The Bronx.

CAL. NO. 168-28-BZ—Application of John Kochendorfer, on behalf of Adelaide F. Garbade, owner, reopened June 12, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 158-34-BZ—Application, June 12, 1934, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Inc., owner, to permit in a business district the extension of an existing gasoline service station; premises block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 9, 1934, 2 P. M.

Appeals from Administrative Orders.

245-34-A—West side of Vernon boulevard, 90 ft. north of 43d avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

252-34-A—1410 Bedford avenue (Block No. 1224, Lot No. 45), Borough of Brooklyn.

Petitions for Variations.

555-31-S—93-99 Nassau street, 28-30 Ann street and 135-139 Fulton street (Block No. 89, Lot No. 1), Borough of Manhattan.

244-34-S—115-117 Fulton street and 52-56 Ann street (Block No. 91, Lot No. 7), Borough of Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 9, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 307-33-BZ—Application of H. E. Horwood, on behalf of 1758 Coney Island Avenue Realty Co., Inc., owner, reopened September 18, 1934 for amendment to resolution to permit the inclusion of a gasoline service station—re Application, granted under section 21 of the building zone resolution, permitting in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop, brake testing, automobile laundry and greasing for a period of five (5) years; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

CAL. NO. 153-34-BZ—Application, June 5, 1934, under section 21 of the building zone resolution, of Rhodie and Belous, applicants, on behalf of Bertha Gerton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

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CAL. NO. 556-26-BZ—Application of John F. Meehan, for Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

CAL. NO. 121-34-BZ—Application, May 2, 1934, under section 21 of the building zone resolution, of Meyer Wilen, applicant, on behalf of Novick Holding Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises North side of Northern boulevard, 108.78 ft. West of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

CAL. NO. 160-34-BZ—Application, June 12, 1934, under sections 7c and 21 of the building zone resolution, of Kennedy and Ellner, applicants, on behalf of Architect Building Corporation, owner, to permit in a residence district the maintenance of an existing shed for the storage of lumber; premises north side of 84th drive, 100 ft. east of Queens boulevard (block No. 710, Lot No. 64), Forest Hills, Borough of Queens.

CAL. NO. 235-23-BZ—Application of Edwin W. Kleinert, on behalf of Albert Ritterman, present owner, reopened September 25, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises 2306-2324 Neptune avenue (Block No. 7015, part of Lot No. 3), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 15, 1934, AT 2 P. M.

Building Zone Cases.

109-34-BZ.

APPLICANT—Jacob Lubroth, for Louis Greenstein, owner.

PREMISES—Southwest corner of Myrtle avenue and Cypress Hills street (Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop.

179-34-BZ.

APPLICANT—Hugo E. Magnuson, for Estate of Maria K. Gray, owner.

PREMISES—Southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a business building (stores).

195-34-BZ.

APPLICANT—William F. Regan, for Hattie M. Marks, owner.

PREMISES—1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

230-34-BZ.

APPLICANT—Martin J. Ort, for William F. Clark, owner.

PREMISES—303-305 Fourth avenue, southeast corner of 2d street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the maintenance of an existing motor vehicle repair shop.

339-33-BZ.

APPLICANT—Samuels and Samuels, for Otnas Realty, Inc., owner.

PREMISES—14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened July 17, 1934),

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn).

227-20-BZ.

APPLICANT—Samuel Rosenblum, for Goble Jerome Co., Inc., present owner.

PREMISES—1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened September 18, 1934),

TO PERMIT in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles, to be used in part for a gasoline service station.

OCTOBER 16, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 16, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 126-34-BZ—Application, May 9, 1934, under section 21 of the building zone resolution, of Philip Schneider, applicant, on be-

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half of Sarah Feinman, owner, to permit in a business district the maintenance of a motor vehicle repair shop; premises 609 Snediker avenue (Block No. 3851, Lot No. 1), Borough of Brooklyn.

CAL. NO. 127-34-BZ—Application, May 10, 1934, under section 21 of the building zone resolution, of Peter Brandt, applicant, on behalf of George Zauderer & Sons, Inc., owner, to permit in a residence district the alteration and change of occupancy of part of an existing building to business use; premises 288-290 West 92d street (Block No. 1239, Lot No. 56), Borough of Manhattan.

CAL. NO. 159-34-BZ—Application, June 12, 1934, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Inc., owner, to permit partly in a business district and partly in a residence district the extension of an existing gasoline service station; premises southwest corner of East Fordham road and Arthur avenue (Block No. 3067, Lot Nos. 54 and 56), Borough of The Bronx.

CAL. NO. 180-34-BZ—Application, June 22, 1934, under section 21 of the building zone resolution, of Christensen Engineering Co., Inc., applicant, on behalf of Kazimer Wajda, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises southwest corner of 123d avenue and Sutphin boulevard (Block No. 2831, Lot No. 71), Jamaica, Borough of Queens.

CAL. NO. 229-34-BZ—Application, August 8, 1934, under section 21 of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of John McCluskey, owner, to permit in a business district the erection and maintenance of a repair shop for motor vehicles in connection with automobile sales building; premises 531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1934, 2 P. M.

Appeals from Administrative Orders.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

209-34-A—2-12 Taylor street (Block No. 2174, Lot No. 14), Brooklyn.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

Appliances Submitted for Approval.

270-34-SA—Zenith Oil Burner.

274-34-SA—B. & H. Radiant Stove Oil Burner.

276-34-SA—Gem Fire Extinguisher, Model O.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 16, 1934, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 73-34-BZ—Application of Michael Levine, on behalf of Karron and Lieberman, Inc., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied; premises 1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 $\frac{3}{8}$ in. south of 20th avenue (Block No. 5464, part of Lot No. 15), Borough of Brooklyn.

CAL. NO. 185-34-BZ—Application, June 23, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Ben H. Sanders and Henry A. Doten, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises north side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

HARRIS M. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 22, 1934, AT 2 P. M.

Building Zone Cases.

211-34-BZ.

APPLICANT—Abraham M. Bakerman, for Rebecca Bakerman and Sadie Cooper, owners.

PREMISES—Northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

214-34-BZ.

APPLICANT—Benjamin N. Brody, for Peter Schwartz, owner.

PREMISES—412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a junk shop.

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215-34-BZ.

APPLICANT—Leonard J. Tompkins, for Jamaica Savings Bank, owner.

PREMISES—Southwest corner of Merrick road and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

238-34-BZ.

APPLICANT—Lama and Proskauer, for David F. Walsh, owner.

PREMISES—480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

OCTOBER 23, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 23, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 206-34-BZ—Application, July 11, 1934, under section 21 of the building zone resolution, of Clelia D'Alessandro, applicant, on behalf of Mary Picerno, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Jewett avenue and Castleton avenue (Block No. 1026, Lot No. 47), Port Richmond, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 23, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 262-32-BZ—Application of Edward J. Walsh and Mary Walsh, owners, reopened September 11, 1934, under section 7f of the building zone resolution for consideration as to extension of permit—re Application, permitting in a business district the erection and maintenance of a gasoline service station for a temporary period of two (2) years; premises southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, OCTOBER 2, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, September 25, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, September 25, 1934, were approved as printed in Bulletin No. 40, Vol. XIX.

BUILDING ZONE CASES.

73-34-BZ.

APPLICANT—Michael Levine, for Karron & Lieberman, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone

resolution, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied. (Reopened June 19, 1934.)

PREMISES AFFECTED—1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 $\frac{3}{8}$ in. south of 20th avenue (Block No. 5464, part of Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Levine, R. W. McBride and Louis Karron.

For Opposition: Max Homstein, Mary Cohen and Theo. W. Row.

ACTION OF BOARD—Laid over to October 16, 1934, at 2 p. m., for report of committee on inspection. No further argument.

MINUTES

158-34-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing gasoline service station.

PREMISES AFFECTED—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant Circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick Schnell.

For Opposition: None.

ACTION OF BOARD—Laid over to October 9, 1934, at 10 a. m., on request of applicant's representative.

185-34-BZ.

APPLICANT—Samuels & Samuels, for Ben H. Sanders and Henry A. Doten, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels and Ben. H. Sanders.

For Opposition: L. C. Squire, Joseph Sebranek, Thomas J. Keogh and Mrs. P. Moran.

ACTION OF BOARD—Laid over to October 16, 1934, at 2 p. m., for report of committee on inspection. No further argument.

77-34-BZ.

APPLICANT—William C. Stohldreier, for Sheffield Farms Company, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit the extension, from a business district into a residence district, of a proposed building for the storage of wagons.

PREMISES AFFECTED—South side of Flushing avenue, 106 ft. west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: H. K. Grafton, William C. Stohldreier, Albertina Heimann, Andrew J. Reiff and Julius Hass.

For Opposition: Edgar H. Hazelwood, Frederick Hill and Reinhold Kashmilder.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(177-34-BZ)

WHEREAS, William C. Stohldreier, for Sheffield Farms Company, Inc., owner, filed July 21, 1934, an application under the building zone resolution to permit the extension from a business district into a residence district of a proposed building for the storage of wagons; premises: south side of Flushing avenue, 106 ft. west of Sophie street (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens; and

WHEREAS, a public hearing was held on this application at the Board of Standards and Appeals, at its regular

meeting, October 2, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Metropolitan avenue is in a business district; Flushing avenue is in a business and unrestricted district; and Sophie street (53rd street) is in a residence and business district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 11, 1934, re Plan No. 3866-1934, reads:

"1. It is contrary to the zoning law to extend an existing building into a residence district and using it for the purpose of housing wagons. (Article II, section 3)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 131 ft. 4 in. on Flushing avenue, 243 ft. 10 in. on Metropolitan avenue and a distance of 409 ft. 5 in. along the north lot line. On the Flushing avenue front of the plot there is located a one-story structure having a frontage of 134 ft. 4 in., a depth of 120 ft. 2 in. on the north building line and 238 ft. 11 in. along the south building line—OCCUPIED as a milk distributing plant with stables, wagon room, car washing room and cooling room; on the Metropolitan avenue front there is located a two-story office 59 ft. 6 in. by 55 ft. irregular in area. The remainder of the plot is an open space used for wagon storage. It is proposed to erect on the west portion of this open space a one-story wagon shed having a distance of 184 ft. along the north lot line, and 73 ft. 6 in. along the west line; irregular in area. A triangular portion of the proposed wagon shed, approximately 100 ft. by 65 ft., is in the residence district and the remainder is in the business district; and

WHEREAS, the board is empowered under the provisions of section 7-c of the building zone resolution to permit the extension of an existing business use under such circumstances as the board deems proper; and

WHEREAS, the premises under appeal was the subject of an inspection prior to the public hearing by a committee of the board on September 27, 1934.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-c and 21, permitting the erection of a building not over one story in height within the area now zoned for residential use, as an extension of the existing milk distributing plant and wagon storage shed, *on condition* that this building shall be constructed of masonry and steel and with a roof surfaced with fireproof material; that there shall be no windows in this wall facing northerly toward the rear of the residential property along Sophie street; that the wall of this building shall be continued to Metropolitan avenue on the northerly lot line to a height of not less than 8 feet; that this wall shall be properly coped; that the area along Metropolitan avenue proposed to be left open shall be graded and cement paved; that proper fencing shall be erected along Metropolitan avenue with exit gate for emergency purposes; that there shall be no skylights erected within the roof of the proposed wagon shed within the residence district nearer than 10 feet from the lot line; that the building shall be protected throughout with a standpipe system meeting the requirements of the Standpipe Rules of the Board of Standards and Appeals; that this variation shall continue only so long as this building is used as a milk distributing depot; that all permits shall be obtained within three months and all work completed within six months from the date of this action.

Adjourned, 1:00 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 2, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

722-23-BZ.

APPLICANT—James Kearney, for Julia Hirsch, present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and conversion of existing garage for more than five (5) motor vehicles to be used in part for a gasoline service station.

PREMISES AFFECTED—2235 Webster avenue, southwest corner of East 182d street (Block No. 3143, Lot No. 65), Borough of The Bronx.

APPEARANCES—

For Applicant: James Kearney.

ACTION OF BOARD—Application reopened, subject to calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

500-28-BZ.

APPLICANT—William Shary, for Charles Zenker, present owner.

SUBJECT—Application for reopening—amendment—re (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened, subject to calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

141-34-BZ.

APPLICANT—William Shary, for Socora Realty Construction Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within twenty (20) feet of the wall of a place of public assembly.

PREMISES AFFECTED—East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

For Opposition: E. J. Gollant, Abraham Wilson and C. W. Longwith.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(141-34-BZ)

WHEREAS, William Shary, for Socora Realty Construction Co., Inc., owner, filed May 23, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles, which is to be erected within 20 feet of the wall of a place of public assembly; premises: East side of River avenue, 229 ft. north of McClellan street (Block No. 2488, Lot No. 12), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 2, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that River avenue is in business and residence districts; Gerard avenue is in a residence district; East 167th street is in a business district and McClellan street is in business and residence districts; and

WHEREAS, the decision of the commissioner of buildings, rendered May 7, 1934, re App. N.B. 73/34, reads:

"1. Erection of garage for storage of more than five motor vehicles in business district is contrary to provisions of building zone resolution.

"2. Garage within 20 feet of nearest wall of theatre building on same street frontage as garage contrary to section 151 of chapter 10 of code of ordinances."

WHEREAS, the proposed building is to be of non-fireproof construction two (2) stories in height, with a frontage of 50 ft. and a depth of 115 ft.; to be occupied as a garage for more than five (5) motor vehicles; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 141-34-BZ.

Premises: East side River avenue, 229 ft. north of McClellan street (Block 2488, Lot No. 12), Borough of The Bronx.

The premises involved in this appeal for a variance of the zoning resolution consists of a plot with a 50 ft. frontage on River avenue and a depth of 115 ft., on which it is proposed to erect a two-story public garage.

River avenue is zoned within this block, which is between East 167th street and McClellan street, for business use and the area on Gerard avenue, directly behind this plot, is zoned for residence use.

Next to this property to the north there is a large theatre at rear of which is the required 20 ft. yard and under this yard is the theatre boilerroom. One of the objections from the commissioner of buildings is that under section 151 of chapter 10 of the code of ordinances a garage cannot be located within 20 ft. of the nearest wall of a theatre building. It was argued at the hearing that this boilerroom wall is not such a wall of the theatre building as is referred to in the ordinance.

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The zoning variance is sought under section 21 and the applicant claims hardship on the ground that the plot is not suitable for a conforming use because of the subway which runs by the property on an elevated structure and the garage and gasoline service station across the street and the vacancies in stores.

This plot has been before the board on a previous occasion as a part of a larger plot on which a garage was sought and the application was denied. Adjacent plots to the north and south, prior to the erection of the theatre and prior to the erection of the taxpayer stores have also been considered on appeal for garage use and also denied.

Adjoining this site to the south is a vacant piece of property and adjoining that at the corner on McClellan street is a one-story store building erected after the denial by the board of a garage permit. Across the street is a vacant plot of 200 ft. frontage. This vacant plot was the subject of an appeal before the board, under Cal. No. 609-29-BZ, for a garage, and the application was denied even though, under section 7-g, 99 per cent of the property deemed affected consented to the variation, and the denial of the board was later affirmed by the court. Next south are some individual garages which are rented to the public and which were presumably granted by the superintendent of buildings prior to the amendment of article 2, section 4, subdivision 15 of the zoning resolution. In connection with these garages there is a gasoline service station located in a business district. Although not granted by this board, it is understood that this gasoline service station must have been granted for private use, but it was stated at the hearing that gasoline is sold to the public. Next to these garages is a six-story apartment house. In front of the property is the elevated structure of the subway and one of the stairway exits is almost immediately in front of the site and several of the elevated columns are directly in front.

These premises were inspected by a committee of the board on September 20, 1934. In the opinion of the committee the wall of the theatre boilerroom is a wall of the theatre building and the provision of section 151 of chapter 10 of the code of ordinances applies thereto, and, further, that it would be a serious menace to this theatre to have a public garage immediately adjoining, particularly as the theatre boilerroom is necessarily excavated for some depth below grade and seepage of gasoline into this boilerroom is at least possible. The committee also finds that because of the elevated stairway and the columns of the elevated structure located in front of this lot the site is not adapted to a garage use and is of the opinion that a garage at this point would be dangerous to vehicular traffic and pedestrian travel.

The apartment house at the rear has filed an objection and the committee is of the opinion that this objection is well sustained. There are also other apartment houses in the rear which would be affected by this non-fireproof building. The apartment house across the street, also objecting, would be less affected. It is apparent that the objection of the individual garages is primarily because of possible competition.

It appears that this property under appeal was purchased by the owner of the theatre as part of a parcel that he found it necessary to buy to provide area enough for the theatre building and he now has this 50 ft. left over. It is admitted that the theatre is satisfactorily leased and that the rent is being paid and this vacant land was an integral part of the theatre project. Consequently, even though this 50 ft. plot is not used, it is fair to consider that part of the theatre rent represents its carrying charges. Located as it is, so close to a station of the subway and adjacent to 167th street, which is a well traveled business street, the committee is of the opinion that a conforming use

can be maintained and consequently that no unnecessary hardship or practical difficulty has been proved to justify the granting of this appeal and recommends that it be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends the denial of this application, the board deems that applicant was not entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed, and that the application be and it hereby is denied.

148-34-BZ.

APPLICANT—Samuels & Samuels, for Noviak Holding Corporation and Martha Barlow, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (stores).

PREMISES AFFECTED—Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

APPEARANCES—

For Application: Milton Samuels.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(148-34-BZ)

WHEREAS, Samuels and Samuels, for Noviak Holding Corporation and Martha Barlow, owners, filed June 1, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district the erection and maintenance of a business building (stores); premises: Southeast corner of 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 2, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 89th avenue is in a residence and business district, 164th street is in a residence and business district, 165th street is in a residence and business district and Hillside avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 1, 1934, re: Plan No. 560-1934, reads:

"The erection of a business building in a business district extending partly into a residence district is prohibited by the zone law. Not further considered."

and

WHEREAS, the proposed building is to be of non-fireproof construction, one-story in height, with a frontage of 80 ft. on 89th avenue and 112 ft. 6 in. on 164th street, to be occupied as stores; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

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REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 148-34-BZ.

Premises: Southeast corner 164th street and 89th avenue (Block No. 866, Lot Nos. 56 and 59), Jamaica, Borough of Queens.

This application for a zoning variation was filed under sections 7-b, 7-c and 21 of the Building zone resolution for permit to erect a series of one-story brick-and-frame stores at the southeast corner of 89th avenue, formerly known as Shelton avenue, and 164th street, Borough of Queens. The site has a frontage on 89th avenue of 90 ft. and a depth on 164th street of 112.5 ft., wholly in the residential district except for a distance of 12 ft. 6 in. in the area zoned for business use. The southerly end of the block on which this site is located is on Jamaica avenue, a heavily trafficked and active business thoroughfare containing many stores of various kinds. 164th street, from Jamaica avenue to a point within 100 ft. of 89th avenue, is zoned for business, although it was referred to at the hearing as a church street. 89th avenue for a number of blocks is zoned for residential use, as is also the section northerly to within 100 ft. of Hillside avenue. The appearance of 89th avenue is residential, broken only by several minor instances of non-conforming use which may have existed for some years and which may be there illegally. Such uses consist of entrance to a restaurant located in the hotel at the corner of 163rd street, a tailor shop in the private house adjacent, a private house used as a tea-room and another as a funeral parlor and another which carries the sign "radio repairing." The only outstanding non-conforming use, however, is the new United States Post Office on the opposite corner, 164th street and 89th avenue. This is a very monumental building which the United States Government erected irrespective of the local zoning which they are not obligated to recognize. It developed at the hearing that, although there was opposition to this building, actually it is not found objectionable or detrimental to the residential character of 89th avenue.

At the hearing, this applicant withdrew the appeal as to section 7-b and claims that under section 7-c the board has a right to grant the extension of a business use because of the fact that out of a plot of 112 ft. 6 in. in frontage on 164th street, 12 ft. 6 in. is already in the business area. Because of the 12 ft. 6 in. zoned for business, the applicant requests an extension of 100 ft. into the residence district.

Under section 21 the applicant claims that this property cannot be used for a conforming use, partly because of the alleged non-conforming uses along 89th avenue and because of the adjoining business uses on 164th street together with the fact that the existing frame buildings on the property do not return sufficient income to cover carrying charges. Several letters from real estate men were submitted recommending the construction of a taxpayer.

It appears that Shelton avenue was formerly zoned for business use and because of its general residential character the use was changed by the Board of Estimate and Apportionment on June 22, 1924, to residence use, and judging from the statements made by those opposing this application, who own apartment houses directly opposite this property under appeal, Shelton avenue should retain its residential use and character. 164th street is zoned for business use from a point 100 ft. from 89th avenue to Jamaica avenue south, but, except portions of this street near Jamaica avenue, is largely used for residential purposes consisting of several churches and private houses. There is, however, a monumental funeral home and a vacant lot used for automobile parking which this applicant points to as one of his hardships. This, however, may be a non-conforming use without legal permit like some of the

non-conforming uses referred to along 89th avenue and nothing has been shown to indicate that any of these non-conforming uses are there legally except the post office. It developed at the hearing that this plot was purchased several years ago as a site for an apartment house and the project was deferred because of conditions. It also appears that the adjacent apartment houses were well filled with tenants.

The committee that inspected this site on September 20th, 1934, are of the opinion that nothing has been presented to prove that this site cannot be used for a conforming use; that this site is adaptable for conforming use and that the hardships claimed by the applicant are negligible. It is apparent to the committee that to permit a series of stores to be built on this corner where no stores are necessary because of the ample supply on Jamaica avenue as well as on Hillside avenue and on the cross streets to the east, even though a blank wall were built along 89th avenue, would be to defeat the purpose of the zoning resolution and cause serious hardship to the owners of residential property, particularly the two apartment houses opposite whose objection to this application the committee find well founded; further, that this would be an injustice to the business property because of the tendency to disrupt the accepted and established and highly developed business areas along Jamaica and Hillside avenues.

The committee also wishes to point out that while this applicant states that the present frame buildings produce an income of \$125 a month which partly covers the carrying charges, no statement was made that a larger income could not be obtained if the buildings were put in the proper state of repair. The committee also learned that that portion of Lot 56, not included in these premises under appeal, but which is under the same ownership, is not vacant as shown on the plans filed, but actually has a frame building on it and that the lot, although partly in a residence district, is used for parking of cars for fees in conjunction with the adjoining lot to the south used for parking.

The committee recommends that this application be denied both under section 7-c as being an unjustified extension of business use into a residence district and under section 21, as they cannot find that practical difficulties or unnecessary hardships have been shown or proven to justify varying the application of the regulations. The committee is of the opinion further that an injustice would be done to adjoining and other property owners with larger investments who purchased in reliance on the zoning regulations; and that the granting of this variance would not be in harmony with the general purpose and intent of the zoning resolution to secure public health, safety and general welfare and do substantial justice.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends the denial of this application and the board deemed that applicant was not entitled to relief under sections 7-c and 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

79-34-BZ.

APPLICANT—Martin J. Ort, for Angelo Malgieri, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone

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resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Martin J. Ort.

For Opposition: Earl J. Gollant and Tillie Jacobson.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(79-34-BZ)

WHEREAS, Martin J. Ort, for Angelo Malgieri, owner, filed March 27, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 2, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Westchester avenue is in a business district, Metcalf avenue is in a business district, Harrod avenue is in a business and unrestricted district and Gleason avenue is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 19, 1934, re: N.B. 462/33, reads:

"1. Erection of building and maintenance of premises in business district for use as gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50.8 ft. on Westchester avenue and 91.9 ft. on Metcalf avenue, upon which it is proposed to erect a one-story office 20 ft. by 20 ft. in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 79-34-BZ.

Premises: Southeast corner of Westchester avenue and Metcalf avenue (Block No. 3747, Lot No. 1), Borough of The Bronx.

The property involved in this application for a zoning variance is located in a business district on Westchester avenue at the southeast corner of Metcalf avenue; and the application is brought under section 21 to permit the erection and maintenance of a gasoline service station.

Along Westchester avenue is an elevated subway. This is named as one of the hardships. Metcalf avenue is a wide thoroughfare leading from West Farms to Sound View avenue and then to Clason Point Ferry and should ultimately be an important crosstown business thoroughfare. At present most of the frontage in this section along Westchester avenue and Metcalf avenue is vacant, but nearby there have been many

one- and two-family houses erected. Claim is also made that this is marshy or swampy ground because of the presence nearby of Pugsley's Creek. This is a condition which is generally applicable to a good deal of this section and is not confined to this plot under appeal only. This owner as well as adjoining owners purchased this property for development and are holding it for a future value. Temporarily, it is generally admitted that construction is not possible and this owner because of the financial pressure of the times turns to this application for a gasoline station as a means of meeting carrying charges. There has, however, been no evidence submitted that a gasoline station on this corner would be profitable; and in the opinion of the committee which inspected this site on September 20th, 1934, the station would be unprofitable and would result in degrading this section to the great hardship of other owners similarly situated as holders of vacant land for future speculative value.

The committee sees no reason for reversing the decision rendered by the board under Cal. No. 2-32-BZ, affecting the corner directly opposite, where the board denied the application for a zoning variance to permit a gasoline service station, pointing out that this section is uninvaded with non-conforming uses and that if there are any poor subsoil conditions existing, the purchasers of the property were well aware of that condition when the property was bought; and furthermore, that the property was purchased subsequent to the amendment to the zoning resolution prohibiting gasoline stations in business districts. An added reason why the committee recommends that the board deny this present application is that there has been no decision in the certiorari proceedings involving a denial by the board on the application across the street.

In the opinion of the committee, to state that this plot was not adaptable for conforming use would be equivalent to saying that none of the property in this section along Westchester avenue is adaptable for conforming use. It is all in a generally outlying section which has not yet been built up to the extent that commercial buildings are required. The section is temporarily in a period of arrested development and the Committee feels that is all the more reason why non-conforming uses should be kept out to avoid general depression of the section, and recommends that this application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends the denial of this application and the board deemed that applicant was not entitled to relief under section 21 on the grounds of unnecessary hardship and practical difficulty.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

137-34-BZ.

APPLICANT—Louis Isquith, for Estate of Frank Wetzel, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—East side of Queens boulevard, 24 ft. east of 82d road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

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APPEARANCES—

For Applicant: Louis Isquith.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(137-34-BZ)

WHEREAS, Louis Isquith, for Estate of Frank Wetzel, owner, filed May 22, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises: south side of Queens boulevard, 24 ft. east of 82d road (Block No. 3360, Lot Nos. 28, 29 and part of Lot No. 27), Kew Gardens, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 2, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in business and residence districts; 82nd road and Augustina avenue are in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 2, 1934, re Plan No. 350-34, reads:

"The erection of a gasoline service station in a business district extending into a residence district is contrary to the zone law. Not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 96.3 feet on Queens boulevard and a maximum depth of 148.5 feet upon which it is proposed to erect a one-story office 16 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station. A triangular shaped section of the southwest corner of the plot is in the residence district. The remainder is in the business district; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 137-34-BZ.

Premises: Southside Queens boulevard, 24 ft. east of 82nd road (Block No. 3360, Lot Nos. 28 and 29 and part of Lot No. 27), Kew Gardens, Borough of Queens.

The site under appeal in this application is located on the south side of Queens boulevard, 24 ft. east of 82nd road, Kew Gardens.

Queens boulevard at this point is 150 ft. wide, being the main traffic artery between Long Island City and Jamaica, and under which the subway has been constructed although not yet open. The property along Queens boulevard in this section is generally vacant and is mainly being held for its future speculative value. The property under appeal has been in the ownership of one family for many years and for its future value. Now that they have a proposal from a well-known gasoline selling company, they are petitioning for this zoning variance, claiming that the proposed station will be a beauty spot in this area. It was pointed out at the hearing that the plans filed indicate the simplest possible arrangement consisting of an office 16 ft. by 20 ft., two open grease pits and some gasoline pumps.

The applicant is aware that under the zoning resolution this station could not be permitted by the board if it extended to 82nd road, because it would then be

on a block on which there exists a public school and to obviate this objection, they have applied for a variance for an interior plot along Queens boulevard, excluding a strip of 20 ft. in width of their own property at the corner of 82nd road. There have been several cases before the board where a similar device has been proposed to avoid the application of the zoning law prohibition as well as to avoid notification to owners along the side street. At best this is a subterfuge. The frontage along Queens boulevard is zoned generally for business and back of the business area on both sides for residence. To the rear of this property toward the south, there is a large development of private homes and P. S. 99. 82nd road, however, is not fully cut through, but is apparently a mapped street and subject to improvement at any time.

The objectors to this application are owners of vacant property similarly situated. At the hearing numerous consents were filed from owners of vacant land some of which was or may still be within the ownership of the Wetzel Estate, the owner of the site under appeal, or by parties closely associated.

These premises were inspected by a committee of the board on September 20th, 1934, and they recommended that this application be denied as they do not find that there is any unnecessary hardship peculiar to this property which would justify the board in granting a zoning variance for this site. Undoubtedly, this owner, in common with other holders of vacant property who are holding on for future speculative value, finds it difficult to meet the carrying charges, and the offer of a favorable lease by a well-known gasoline selling company is undoubtedly an incentive to seek a variance; but to grant a variance for a non-conforming use for one owner would be to depreciate the holdings of others and to start the section on a down grade whereby values would be seriously affected. Queens boulevard has been widened at great expense and should be reserved generally for conforming uses. There is already an adequate number of gasoline stations and others are not needed.

In the recent case of *Peo. ex. rel. Arseekay Syndicate, Inc. vs. Murdock, et al*, where the board's denial of an application for a gasoline station on Queens boulevard was reversed by the Supreme court and that court's order was modified by the Appellate Division

"to provide that when circumstances so change by development of the neighborhood that the property in question is reasonably susceptible of being applied to a conforming use, then, upon the application of the authorities or anyone interested, the gasoline station must be removed."

the Court of Appeals held—

"We find in the record no valid basis to the relief awarded. All that appears is that property acquired as a speculation is not presently adaptable to a productive conforming use. (*Peo. ex. rel. St. Albans-Springfield Corp. v. Connell*, 257 N. Y. 73). The orders should be reversed and the determination of the Board of Standards and Appeals reinstated."

Since the public hearing on this application, a communication has been received from Walter C. Martin, Superintendent of School Buildings, protesting against the granting of this gasoline service station because of the proximity of P. S. 99, pointing out that the omission of the 20 ft. lot between 82nd road and the proposed gasoline station is clearly an evasion of the zoning resolution's spirit and intent.

The committee cannot find that sufficient hardship has been proven to justify the board in making the variance applied for under section 21, and further that substantial justice would not be done to owners of adjoining and adjacent properties similarly situated

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if this variance were granted for the advantage of this individual owner and to the detriment of other owners, and in view of these findings and of the decision of the Court of Appeals (*supra*) under similar circumstances and on the same Queens boulevard, wherein the decision in the St. Albans-Springfield case is cited and clarified, the committee recommends denial of this application by the board.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends the denial of this application and the board deemed that applicant was not entitled to relief under section 21 on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the commisisoner of buildings be and it hereby is *affirmed*, and the application be and it hereby is *denied*.

229-33-BZ.

APPLICANT—Lama and Proskauer, for Autumn Goodis, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit the amendment of the resolution adopted by the board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station—so as to permit the re-arrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

PREMISES AFFECTED—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Irving Proskauer and Joseph Goodis.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(229-33-BZ)

WHEREAS, Lama and Proskauer, for Autumn Goodis, owner, filed June 21, 1933; reopened June 5, 1934; an application under the building zone resolution to permit the amendment of a resolution of the board, permitting partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station so as to permit the re-arrangement of buildings and also the inclusion of a brake service station; premises: 130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 2, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jerome avenue (101st avenue) is in a business district; 130th street is in a residence district; and 131st street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 15, 1934, re Plan No. 731-33, reads:

"1. Proposed arrangement of buildings as shown on amended plans and the creation of a brake service station is contrary to the decision as rendered by the Board of Standards and Appeals in Bulletin 48, Vol. 18 of 1933. (Not further examined.)

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 103 ft. The rear of the plot extends into the residence district for a distance of three (3) ft.—the remainder is in the business district. Applicant now proposes to use the building now existing on the site as a brake service station; to erect a new building 70 ft. by 30 ft. along the rear lot line and use it for auto laundry, grease pits and office and to use the rest of the plot as a gasoline service station.

Resolved, that the resolution adopted by the board on November 21, 1933, be amended, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, permitting the site as indicated on plan filed with this application, namely, 100 ft. on Jerome avenue and 103 ft. in depth, located mainly in business district and partly as to the rear 3 ft. in residence district, to be used as a gasoline service station, including brake adjusting, *on condition* that the property shall be cleared and levelled substantially to the grade of Jerome avenue, except that the present building, approximately 30 ft. by 60 ft. at the northwesterly portion may remain, and that there may be added additional accessory sections as indicated on revised plan marked 'Received June 22, 1934;' that the existing building and the additional sections shall not exceed one story in height and shall be constructed of fireproof material faced with brick for a height of 4 ft. from grade and cement stucco above, except that the roof framing and boarding may be of wood provided the weather surfacing is of incombustible materials and the ceilings throughout are fire-retarded in accordance with the Rules of the Board of Standards and Appeals; that the existing building shall be used for brake service only and the additional sections for office, greasing pits and auto laundry; that along the northerly and easterly lot lines where not covered by accessory buildings there shall be erected a brick wall, suitably coped, and not less than 8 ft. in height, except that this wall may start at a height of 4 ft. at the street line of Jerome avenue and be graduated at the rate of one foot in four to the height of 8 ft.; that there shall be no openings in this wall and accessory buildings to the properties adjoining; that there shall be no excavation under any of these buildings except for the pits for the greasing racks; that the front of greasing rack section shall be left open; that the balance of the property where not covered by accessory buildings and wall shall be paved with cement or asphalt; that such gasoline pumps as are erected shall be not nearer than 15 ft. from the street building line; that there shall be erected along street building line a concrete curbing not less than 5 in. in height and 12 in. in width with rounded top with not over two (2) openings therein, no opening to exceed 25 ft. in width and no part of any opening to be nearer than 8 ft. from interior lot lines on either side, with cuts in curb opposite such openings not exceeding 30 ft. in width each; that no portable gasoline tanks shall be used at or from the property; that advertising signs shall be limited to the illuminated globes of the gasoline pumps and to permanent flat signs attached to building; that no open flame shall be permitted on the property and that there shall be no automobile repairing other than the brake service; that there shall

MINUTES

be no storage or parking of cars on the premises other than those being serviced; that all permits shall be obtained within three months and all work completed within six months from the date of this amended action."

644-20-BZ.

APPLICANT—Samuel Rosenblum, for H. P. C. Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7(c) and 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station (reopened April 24, 1934).

PREMISES AFFECTED—1522-1528 Southern boulevard, northeast corner of East 172d street (Block No. 2982, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(644-20-BZ)

WHEREAS, Samuel Rosenblum, for H. P. C. Corp., owner, filed April 24, 1934, a request to reopen a case filed October 28, 1920; granted by the board for a garage for more than 5 motor vehicles, November 16, 1920; reopened April 24, 1934; an application under the building zone resolution to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises: 1522-1528 Southern boulevard, northeast corner of East 172d street (Block No. 2982, Lot No. 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 2, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution shows that Southern boulevard is in a business district; East 172d street is in business and residence districts and Hoe avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 14, 1934, re Alt. App. 77-34, reads:

"Proposed alteration and change of occupancy of public garage to gasoline service station and public garage in a business district is contrary to the provisions of the building zone resolution."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 100 ft. on Southern boulevard and 100 ft. on East 172d street, occupied as a garage for more than 5 motor vehicles; and

WHEREAS, it is proposed to remove part of both street walls of the existing garage for more than 5 motor vehicles and rebuild the walls at a distance of 25 ft. back of the Southern boulevard street line; the resulting spaces (100 ft. by 25 ft. deep) to be used for grease racks and as a gasoline service station.

Resolved that the resolution adopted by the board on November 16, 1920, be amended by adding thereto the following provisions:

". . . that the front wall of the garage may be elim-

inated as indicated on revised plans marked "Received September 28, 1934" and an alcove gasoline station constructed as indicated thereon, *on condition* that there shall be constructed at a point 25 ft. from Southern boulevard and parallel thereto a brick wall continuously from foundation below the floor to the underneath side of the roof boarding with two openings therein for entrances to garage proper and two windows as indicated; such windows to have metal frames and sash and glazed with wire plate glass; that such gasoline pumps as are installed shall not exceed three (3) and shall be located at least 10 ft. from the street building line, and that the existing or proposed gasoline tanks shall either be removed 30 ft. from the boiler room floor below or shall be buried so that the bottom of the gasoline tanks is below the level of the boiler room floor; that there shall be two (2) openings only in the street curb to this garage and gasoline selling alcove station, these openings not to exceed 25 ft. in width and no part of any opening to be nearer than 20 ft. from the corner formed by the intersection of Southern boulevard and East 172nd street; that the boiler room shall be separated from all other parts of the structure with fireproof walls and ceilings and shall be enterable only from the exterior; that the new masonry for the construction of this gasoline alcove shall harmonize with the masonry now used in the building; that the ceiling on the gasoline selling alcove shall be fire retarded in accordance with the rules of the Board of Standards and Appeals; that nothing in this resolution shall modify the conditions as to construction stated in the resolution adopted by the board on November 16, 1920; that no portable gasoline tank shall be used on or from the property; that all advertising signs shall be limited to the illuminated globes of the pumps and to a permanent, flat sign on the building, excluding all roof signs; and that all permits shall be obtained within three months and any work involved completed within six months from the date of this amended resolution.

204-24-BZ.

APPLICANT—Harry Ellman, for Meyer Zeitz, lessee.

SUBJECT—Application for reopening—amendment of resolution, permitting in a business district the change of occupancy of an existing building from a garage previously granted for the storage of more than five (5) motor vehicles to a junk shop.

PREMISES AFFECTED—469-475 Hemlock street (Block No. 4200, Lot Nos. 9 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant Harry Ellmon and Abraham Zeitz.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(204-24-BZ)

WHEREAS, this application affecting premises 469 to 475 Hemlock street (Block No. 4200, Lot Nos. 9 and 10), Borough of Brooklyn, was granted by the board May 27, 1924, on certain conditions, and lessee requests an amendment of the resolution.

MINUTES

Resolved, that the resolution adopted by the board on May 27, 1924, be amended by adding thereto the following provision:

"That this building may for a period of two (2) years from the date of this action be occupied for the storage of rags instead of a public garage, *on condition* that at all times rags shall be baled with no loose rags or other material on premises exceeding 1,000 lbs., and that while this occupancy is continued the building shall comply with all the laws, regulations and requirements applicable to this occupancy."

39-34-BZ.

APPLICANT—Hlavac & Dlouhy, for Little Neck Investors, Inc., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence district the change of occupancy of an existing building to business use (restaurant).

PREMISES AFFECTED—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Albert Hlavac.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(39-34-BZ)

WHEREAS, this application affecting premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens, was granted by the board June 26, 1934, on certain conditions, and applicant requested an extension of time.

Resolved, that the resolution adopted by the board on June 26, 1934, be amended only so far as it has reference to obtaining of necessary restaurant permit from the Board of Health so that as amended this portion of resolution shall read:

"... and the restaurant permit from the Board of Health shall be obtained within six months from June 26, 1934; and that other than as amended herein the resolution shall be complied with in all respects."

APPEALS FROM ADMINISTRATIVE ORDERS.

209-34-A.

APPELLANT—Chilean Nitrate Sales Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2-12 Taylor street (Block No. 2174, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Appellant: Charles E. Elbert and M. B. Littlefield.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to October 16, 1934, at 2 p. m., for appellant to confer with fire department.

232-34-A.

APPELLANT—Lease Bros. Coachcraft, Inc., for William Buchanan, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Charles E. Bernstein.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to October 16, 1934, at 2 p. m.

233-34-A.

APPELLANT—S. A. Swenson, for The O. B. Potter Properties, Inc., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—130-132 Fifth avenue, northwest corner of West 18th street (Block No. 820, Lot No. 38), Borough of Manhattan.

APPEARANCES—

For Appellant: S. A. Swensen.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(233-34-A)

WHEREAS, S. A. Swensen, for The O. B. Potter Properties, Inc., owner, filed August 13, 1934, an appeal from an order of the commissioner of buildings, affecting premises 130-132 Fifth avenue, northwest corner of West 18th street (Block No. 820, Lot No. 38), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated July 23, 1934, Order No. 15744-F, reads:

"1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Section 580-1, chapter 5, code of ordinances and rules of the Board of Standards and Appeals."

and

WHEREAS, the building is fireproof, 11 stories and basement (156 ft.) in height, 75 ft. by 130 ft. in area; OCCUPIED: cellar, engine room and offices; 1st story, offices, 35 persons; upper stories, manufacturing, not more than 65 persons per story; and

WHEREAS, the appellant claims the building was erected in 1903, equipped with a sprinkler system except on 1st story, fed from a 15,000 gallon gravity tank and two 5,000 gallon pressure tanks; also a standpipe system fed from a 3,500 gallon gravity tank, the bottom of which is about 15 ft. above the hose outlet in the highest story, furthermore, fire pails are distributed throughout and adequate exits are provided.

Resolved, that the order of the commissioner of buildings, No. 15744-F, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the combined house and gravity tank to remain at its present height, *on condition* that the bottom of the tank be not less than 15 ft. above the hose outlet in the highest story;

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that the overflow from the tank shall be raised to a point as high as practicable and that the feed for house supply shall be from the exterior of the tank above the point where there shall be at all times a reserve of at least 2,500 gallons of water for standpipe system purposes only; that the sprinkler system of the building shall be maintained in condition satisfactory to the administrative official and shall cover all parts of the building except the bank occupancy on the street floor where sprinkler system has been permitted to be omitted; that the standpipe system other than as modified herein shall comply in all respects with Rule 91 of the standpipe fireline rules; that the nozzles on the hose outlets on the top story shall be reduced to ½-in. diameter; that the central office connection to the sprinkler system shall be maintained.

225-34-A.

APPELLANT—Tridex Machine Corporation, for Cadillac Motor Car Company, lessee.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—60-74 Columbus avenue (Block No. 1134, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Appellant: C. H. Alvord.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(225-34-A)

WHEREAS, Tridex Machine Corp., for Cadillac Motor Car Company, Lessee, filed August 6, 1934, an appeal from a decision of the fire commissioner, affecting premises 60-74 Columbus avenue (Block No. 1134, Lot No. 29), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated August 1, 1934, reads:

"A request was received from the Tridex Machine Corporation of 295 Madison avenue for the rescindment of order numbered 3351-LC, issued against your premises—60-74 Columbus avenue, Manhattan on May 8, 1934.

We have informed the writer that the fire commissioner will no longer modify or rescind any order when once issued. We would suggest that you take advantage of your right of appeal from the fire commissioner's decision by again appealing to the Board of Standards and Appeals, Room 1002, Municipal Building.

We note that you have exceeded the required 20 day time limit in which to file your appeal, but have been informed that the Board of Standards and Appeals will accept a letter from this department and for that purpose this communication is forwarded, which will certify that order numbered 3351-LC read as follows:

'Discontinue the use of a boiler anywhere on these premises unless such boiler is separated from the remainder of the building by an unpierced fireproof wall, consisting of solid masonry of at least 8 inches in thickness or its equivalent. Section 159-1, chapter 10, code of ordinances.'";

and

WHEREAS, the building is fireproof, 12 stories (150 ft.) in height, 200 ft. 10 in. by 125 ft. in area; OCCUPIED as

a garage for more than five motor vehicles, offices, salesroom, motor vehicle repair and spraying; total of 394 persons in entire building; located within an unrestricted district; and

WHEREAS, the appellant claims the Tridex Car Washing Machine installed on the 9th story for the purpose of cleaning and washing automobiles is stationary, cars are brought to the machine for cleaning, no cars are stored within 25 feet of the machine; the machine is essentially a water-heater and steam-generator, using gas for fuel, the gas burner is entirely closed, air for combustion enters through a flue from outside; the machine in operation produces a solution of hot water and soap under pressure passing through a hose and discharged in a fine spray from a nozzle at about 60 pounds per square inch, which may be employed to remove grease and dirt from all parts of a car; only non-flammable cleaning compounds are used and all practical fire prevention measures are maintained; the building is provided with a sprinkler system as well as a standpipe system; furthermore, the Tridex Car Washing Machine has been tested and accepted by the National Board of Fire Underwriters' as meeting their requirements and as to safety when installed in garages for washing purposes.

Resolved, that the decision of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Order No. 3351-LC, to permit the installation and operation of one Tridex Cleaning Machine, constructed and described as shown in Cal. No. 33-34-SA and in accordance with the approval of the Underwriters Laboratories filed therewith, *on condition* that this device shall be maintained in its present location on the ninth (9th) floor of the 12-story fireproof building at 60 to 74 Columbus avenue, Borough of Manhattan, and only so long as this building is used as a general service building of the Cadillac Motor Car Company; that the gas burner shall be equipped with an intake flue from outside the building for air and an exhaust flue; that these flues shall be equipped with louver openings for the flues as approved for this type of burner by the Consolidated Gas Company; that this equipment shall be either permanently installed on a concrete base elevated at least 12 inches above the floor or shall be protected on the front and side with a concrete curb at least 12 inches high and 12 inches wide to prevent possible damage from cars driving on to the washing stand; that the space within the structural bay adjacent to this machine, approximately 25 feet square, shall not be used for any purpose other than the washing of automobiles; that the sprinkler system and standpipe system in the building shall be maintained in accordance with the rules of the Board of Standards and Appeals; that such auxiliary fire fighting appliances as the fire chief and commissioner may direct shall be installed adjacent to the machine.

239-34-A.

APPELLANT—David Kaufman, for Jules Friedman, lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—552 West 55th street and 794 11th avenue, southeast corner (Block No. 1083, Lot No. 61), Manhattan.

APPEARANCES—

For Appellant: David Kaufman.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

MINUTES

THE RESOLUTION—

(239-34-A)

WHEREAS, David Kaufman, for Jules Friedman, lessee, filed August 15, 1934, an appeal from a decision of the commissioner of buildings, affecting premises 552 West 55th street and 794 11th avenue, southeast corner (Block No. 1083, Lot No. 61), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated August 13, 1934, re: Applic. No. 362-1934, reads:

"1. Devices must be approved by the Board of Standards and Appeals. Rule 4—Fuel Oil Rules." and

WHEREAS, the building is non-fireproof, 4 stories (45 ft.) in height, 25 ft. by 60 ft. in area; OCCUPIED: 1st story, tailor shop; upper stories, lofts; located within an unrestricted district; and

WHEREAS, the appellant claims an Oronoque Oil Burner has been installed on the first story under a high pressure boiler and connected with a 6 gallon steel container of U. S. Standard No. 16 gauge thickness, forming a complete oil burning equipment; the above burner has been approved by the board under Cal. No. 394-30-SA with the regulation oil storage equipment; the board is requested in this specific case to permit the maintenance of the present installation including the 6 gallon container for the fuel oil storage.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

210-34-A.

APPELLANT—Bernard Capehart, for Sky Harbor, lessee. SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—Pier, foot of 155th street and North River, Borough of Manhattan.

APPEARANCES—

For Appellant: Bernard Capehart.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal not granted.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3

Negative: Assistant Chief Kidney..... 1

Absent 0

THE RESOLUTION—

(210-34-A)

WHEREAS, Bernard Capehart, for Sky Harbor, Lessee, filed July 19, 1934, an appeal from an order of the fire commissioner affecting premises, Pier Foot of 155th street and North River, Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated May 31, 1934, reads: Order No. 3575-LC.

"With reference to your application, dated May 29, 1934, for a permit to store gasoline at the above location, I regret to inform you that I am without power to grant such a permit for the reason; section 111-2, chapter 10, code of ordinances, requires barges in which petroleum or a liquid product thereof is stored, to be of steel construction. Further, tank used for storage of gasoline must be of approved manufacture and tank must be capable of withstanding a hydrostatic pressure test satisfactory to this department. Piping and pump connected to tank are also required to be approved by this department.

You are therefore, hereby ordered to:

"1. Discontinue the storage of a volatile inflammable oil on the wooden barge moored to pier at the foot of West 155th street in violation of the provisions of the code of ordinances."

and

WHEREAS, the premises consist of a steelframe wooden barge secured to pier in North River at foot of West 155th street, used as a hangar for three (3) seaplanes and for the storage of gasoline; and

WHEREAS, the appellant claims the barge is constructed of wood with steel frame and bulkhead, about 165 feet in length, located at end of pier; used for office, seaplane passenger station, gasoline storage and fueling of transports; this location is leased from New York City until June, 1935; permit is requested to store 1,200 gallons of gasoline (amended verbally at hearing to 300 gallons) in a 1,500 gallon tank located in the hold; sand pails and fire extinguishers are provided; there are no buildings within 500 feet; the barge is under constant supervision by mechanics and pilots; there are no open flames used; furthermore, the appellant proposed to fire-proof that portion of the hold where the gasoline tank is located with fire retarding materials and properly vent the tank and interior space to the outer air.

Resolved, that the order of the fire commissioner, No. 3575-LC, be and it hereby is *affirmed* and that the appeal be and it hereby is *not granted*.

PETITIONS FOR VARIATIONS.

235-34-S.

PETITIONER—Robert A. Fash, for Isabel C. Nash, owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—290 Fifth avenue (Block No. 832, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Petitioner: Robert A. Fash.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

204-34-S.

PETITIONER—Nathan Langer, for Leashold Estates Corp., lessee.

SUBJECT—Petition for variation of the Labor Law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—168-170 Park Row and 1 Baxter street, southwest corner (Block No. 161, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Petitioner: Nathan Langer.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(204-34-S)

WHEREAS, Nathan Langer, for Leashold Estates Corp., lessee, filed July 10, 1934, a petition for a variation of the Labor Law as cited in an order and a decision of the commissioner of buildings affecting premises 168-170 Park Row and 1 Baxter street, southwest corner (Block No. 161, Lot No. 15) Borough of Manhattan; and

MINUTES

WHEREAS, the order of the commissioner of buildings, reads: Order No. 11755 LD—

"2. Reduce the area of wire glass in partitions enclosing the interior stairway at northeast side on each story, so that no single pane of glass shall exceed 360 square inches, and a total of not more than 720 square inches in any story, as per rules of the Board of Standards and Appeals."

and

WHEREAS, the decision of the commissioner of buildings dated June 18, 1934, reads:

"In reference to your request for reconsideration on Item 2 of Order No. 11755-LD, requiring the area of the wire glass in the partitions enclosing the interior stairway at northeast side to be reduced to not more than 360 square inches per panel, and not more than 720 square inches in total on each story, and in view of the fact that the present area of glass in the stair enclosure partitions exceed 2,600 square inches on each story, your request must be denied."

and

WHEREAS, the building is non-fireproof, 5 stories in height, 48 ft. 4 in. by 78 ft. 10 in., irregular in area; OCCUPIED: cellar, storage; 1st story, stores; 2nd story, showroom; 3rd, 4th and 5th stories, factory work, 15 persons per story; EXITS: two interior wooden stairways extending from the 1st story to roof, enclosed in fire retarded (both sides) partitions with fire proof doors at openings (the easterly stairway contains wire glass windows) and fireproof doors at openings; and

WHEREAS, the petitioner claims the building was erected prior to 1909; the two stairhalls are remote from each other and provided with a continuous enclosure from street to roof; the wire glass windows in question were specifically installed in the easterly stairhall partitions when the building was altered in 1915 so as to provide adequate light, the largest pane of glass used is 351 square inches and the total amount of glass in stairhall partitions at each story is 2,106 square inches; furthermore, the petitioner contends that to reduce the area of wire glass in the easterly stairhall partitions would create a dangerous condition at each story.

Resolved, that the order of the commissioner of buildings, No. 11755-LD, be and it hereby is *modified* and that the petition be and it hereby is *granted on condition* that the amount of wire glass per floor in the stairway in question near Park Row shall not exceed by 1,500 square inches per floor the legal requirement; that the sash shall be kalameined metal or hollow metal in one frame with not less than six lights and each light not exceeding 360 square inches of 1/4-inch wire plate glass; that this variation shall apply only to the stairway nearest Park Row; that the stairway to the rear of the building shall have no borrowed lights on any floor constructed in the enclosing partition and that the requirements of the labor law shall be complied with in all other respects.

APPLIANCES SUBMITTED FOR APPROVAL.

237-34-SA.

PETITIONER—Holland Furnace Co., owner.

SUBJECT—Holland Type "F" Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of board and bureau of combustibles, fire department, for test and report.

266-34-SA.

PETITIONER—David Kaufman, for Timken Silent Automatic Co., owner.

SUBJECT—Timken Silent Automatic Pressure Type Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of board and bureau of combustibles, fire department, for test and report.

443-26-SA.

PETITIONER—Consolidated Ashcroft Hancock Co., Inc., owner.

SUBJECT—Application for reopening—restoration to calendar (previously withdrawn)—re American Anti-Syphon Valve, approval of.

APPEARANCES—

For Petitioner: W. J. H. Miller.

ACTION OF BOARD—Petition reopened, restored to calendar, placed on reserve calendar, referred to engineer of the board and bureau of combustibles, fire department, for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

226-34-SA.

PETITIONER—Norge Corp. of New York, owner.

SUBJECT—Norge Oil Burner, Models N8, N18 and N28.

APPEARANCES—

For Petitioner: A. E. Burns.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(226-34-SA)

WHEREAS, Norge Oil Corporation of New York, owner, filed August 6, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Norge Oil Burner, Models N8, N18 and N28; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

This burner installed at these premises consisted of an Ohio 1/10 Horsepower Motor; a Sirocco Type Fan; a Tuthill Pump; a Detroit Lubricator Regulating and Cut Off Valve and Strainer; a Webster Transformer; and a Monarch Nozzle—1.65 gallons per hour.

Ignition—Electric.

Controls—Protectorelay R-117-3 and Aquastat L-109-1, manufactured by the Minneapolis-Honeywall Company.

Examination of the electrodes show that they were properly set to give a spark of proper length. The burner was operated from a cold start with the oil supply shut off, and on two successive tests the controls shut the burner down in 93 and 70 seconds respectively. The burner was then put into operation for about 20 minutes. During the period of test there

MINUTES

were no puff backs, and the flame was clean and free of smoke. Examination of the combustion chamber showed no undue carbon deposits.

Models No. N18 and No. N28 are identical as the above described, except for the fact that larger fans and motors are used.

It is, therefore, as the results of these tests, recommended that the Norge Oil Burner, Models N8, N18 and N28 be approved for domestic and commercial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Norge Oil Burner, Models N8, N18 and N28 for use in domestic and commercial installations when used with oil not heavier than No. 3 and when installed in accordance with above report and Oil Burner Rules of the Board of Standards and Appeals.

Adjourned, 4:30 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model		M. D. Rotary.....	52-27-SA
No. 1000	9-32-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Monroe Oil Pump.....	658-26-SA
Beach Russ Co. Rotary.....	1134-22-SA	Northern Rotary	1396-24-SA
Blackmer Rotary	935-24-SA	Pascoe Pump Set.....	1029-26-SA
Blake & Knowles Horizontal Simplex Piston		Petro-Nokol Industrial Oil Pump.....	570-32-SA
Pattern Pump	372-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Century Rotary	908-21-SA	Quimby Screw Pump.....	1193-21-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump.....	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump.....	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Tate-Jones	492-21-SA
Enterprise Oil Pump.....	11-28-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Exeter Rotary	507-22-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Hand Rotary.....	1133-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Viking	438-21-SA
Goulds Triplex Plunger.....	257-22-SA	Warren Oil Pump.....	1169-23-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Koerting Gear Pump.....	1264-25-SA	Worthington Duplex Double-Acting Steam	
Kraissl Fuel Oil Pump.....	60-28-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

THIRD QUARTERLY REPORT

CITY OF NEW YORK

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

MUNICIPAL BUILDING

October 9, 1934.

Hon. Fiorello H. LaGuardia,
Mayor, The City of New York,
City Hall, New York City.

DEAR SIR:—

I have the honor to submit to you the Third Quarterly Report of the Board of Standards and Appeals for the year 1934. This report is being submitted to you in accordance with the provisions of the Charter, Section 1544, and will also be printed in the Bulletin of the Board.

CASES FILED AND PENDING, 1934

FILED 1934	A	BZ	S	SA	SR	M'L	T'L	GR.T'L
JANUARY	8	14	0	4	0	45	71	..
Restored	1	9	0	0	0	0	10	81
FEBRUARY	6	13	0	10	0	36	65	..
Restored	0	3	0	1	0	0	4	69
MARCH	11	13	3	3	0	48	78	..
Restored	0	3	2	3	0	0	8	86
APRIL	16	7	2	6	0	40	71	..
Restored	0	7	0	1	0	0	8	79
MAY	8	13	3	6	0	67	97	..
Restored	0	12	1	1	0	0	14	111
JUNE	14	16	4	11	0	41	86	..
Restored	0	6	0	4	1	0	11	97
JULY	4	9	3	8	0	54	78	..
Restored	2	4	0	0	0	0	6	84
AUGUST	10	10	1	7	0	0	28	..
Restored	0	0	0	0	0	0	0	28
SEPTEMBER	10	13	2	9	0	46	80	..
Restored	0	8	1	5	0	0	14	94
TOTAL	90	160	22	79	1	377	729	729

PENDING

Dec. 31, 1933....	51	99	2	58	2	0	212	212
GRAND TOTAL ..	141	259	24	137	3	377	941	941

DISPOSITION

1934								
JANUARY	8	22	0	8	0	45	83	..
FEBRUARY	7	24	1	16	0	36	84	..
MARCH	6	26	1	10	0	48	91	258
APRIL	7	28	2	6	0	40	83	..
MAY	21	34	6	16	0	67	144	..
JUNE	7	18	3	3	1	41	73	300
JULY	18	19	5	10	0	54	106	..
AUGUST	0	0	0	0	0	0	0	..
SEPTEMBER	7	2	2	4	0	46	61	167
TOTAL	81	173	20	73	1	377	725	725
PENDING								
Sept. 30, 1934.	60	86	4	64	2	0	216	216

Code: A—Appeals from Administrative Orders. BZ—Applications under Building Zone Resolution. S—Petitions for Variations of Labor Law. SA—Petitions for Approval of Appliances. SR—Petitions for Adoption of Rules. M'L—Miscellaneous Docket.

THIRD QUARTERLY REPORT

SUMMARY

DOCKET.

Cases pending December 31, 1933.....	212
Cases filed up to September 30, 1934, inclusive.....	277
Restored to Calendar	75
MISCELLANEOUS APPLICATIONS	
Requests to reopen.....	232
Requests to amend.....	76
Requests for modification.....	1
Requests to rescind.....	0
Requests for extension of time.....	44
Requests for extension of permit.....	12
Requests for mechanical installations.....	0
Requests for approval of plans.....	11
Administrative requests	0
Requests for interpretation.....	1
Total	941
Disposed of	725
Cases pending September 30, 1934.....	216

DISPOSITION OF CASES.

Withdrawn	35
Dismissed	13
Denied	90
Granted	0
Granted on condition.....	136
Appliances approved.....	43
Appliances dismissed, disapproved or withdrawn.....	30
Rules approved.....	1
Rules disapproved, rescinded or withdrawn.....	0

MISCELLANEOUS ACTIONS.

Requests to reopen granted.....	201
Requests to reopen denied.....	18
Requests to amend granted.....	76
Requests to amend denied.....	0
Requests for modification granted.....	1
Requests for modification denied.....	0
Requests to rescind granted.....	0
Requests to rescind denied.....	0
Requests for extension of time granted.....	44
Requests for extension of time denied.....	0
Requests for extension of permit granted.....	12
Requests for extension of permit denied.....	0
Requests to install granted.....	0
Requests to install denied.....	0
Plans approved.....	11
Plans disapproved.....	0
Administrative requests granted.....	0
Administrative requests denied or withdrawn.....	0
Interpretations	1
Requests withdrawn or dismissed.....	13

Total 725

MONEYS RECEIVED

SUBSCRIPTIONS	JULY	AUG.	SEPT.	TOTAL	1st QUAR.	2nd QUAR.	GR. T'L.
To Bulletin.....	\$22.50	\$17.50	\$50.00	\$90.00	\$197.50	\$235.00	\$522.50
Cash Sales.....	24.80	22.05	36.80	83.65	144.70	105.79	334.14
Paid to Chamberlain.....	\$47.30	\$39.55	\$86.80	\$173.65	\$342.20	\$340.79	\$856.64

EDWARD V. BARTON, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and
on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)....	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Co.....	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Maxon Oil Burner (New Style).....	1036-22-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	May Oil Burner.....	68-24-SA
Auto-Heat Oil Burner.....	284-33-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1.....	359-33-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil High Pressure Burner.....	185-29-SA
Berggren Oil Burner.....	764-26-SA	National Airoil Low Pressure Burner.....	186-29-SA
Best Calorex Burner.....	1464-21-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Bock Oil Burning Water Heater.....	102-34-SA	North American Low Pressure Oil Burner...	792-26-SA
Brighton Oil Burner	372-33-SA	Oilbilt Burner.....	85-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Oronoque Oil Burner.....	394-30-SA
Burnwell Mechanical Burner.....	957-22-SA	Packard Fuel Oil Burner.....	77-34-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Carter Oil Burner, Models 4X and 5X.....	117-34-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Petro Model W Oil Burner.....	452-31-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
D'Elia Oil Burner.....	155-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
DeWalt Oil Burner.....	541-31-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Doe Oil Burner.....	317-31-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enco Mechanical Oil Burner.....	509-30-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Forsdraft Oil Burner	41-34-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Frankfort Type P Oil Burner.....	1046-23-SA	S. K. Oil Burner, Model F.....	369-33-SA
Gem Fuel Oil Burner.....	111-26-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Ghapco Steam Generator.....	348-31-SA	Standadyne Oil Burner.....	34-34-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Steam Oil Burner.....	183-22-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Sun Heat Oil Burner.....	603-29-SA
Grant Oil Burner, Model "C".....	232-32-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sunway Oil Burner.....	624-30-SA
Hammond Oil Burner.....	72-31-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Harris Fuel Oil Burner.....	690-30-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hart Oil Burner, Model "H".....	221-33-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Timken Rotary Oil Burner.....	297-29-SA
Hayward Oil Burner.....	696-30-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Hobeco Oil Burner.....	1278-21-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Holby Oil Burner.....	328-27-SA	Todd Spiro Oil Burner.....	470-31-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Spiro Burner (pump type).....	94-32-SA
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Todd Steam Atomizing Fuel Oil Burner....	123-23-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Kelvinator Oil Burner, Model K.....	105-34-SA	Vaporoil Burner	44-32-SA
Kreager Oil Burner.....	367-30-SA	Warner Oil Burner, Model A.....	16-34-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Wheco Oil Burner.....	108-34-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Liberty Automatic Heater.....	129-28-SA	Wizard Automatic Oil Burner.....	181-33-SA
Liberty Pressure Oil Burner.....	75-34-SA		
Lientz Oil Burner.....	155-20-SA		
Lonergan Automatic Oil Burner.....	208-33-SA		
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York Avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston Road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington Avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington Avenue and 128 East 39th Street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington Avenue, 133 East 40th Street and 359-361 Lexington Avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington Avenue and 130-132 East 40th Street (Block No. 895, Lot No. 69), Manhattan.

Appliances Submitted for Approval.

1249-22-SA—Coen Steam Atomizing Oil Burner.

628-23-SA—Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15.

443-26-SA—American Anti-Syphon Valve.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

591-29-SA—Improved Kres-Kno Oil Burner, Model MD.

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Oil Burner.

491-31-SA—Superfex Oil Burning Heater.

592-31-SA—Crescent Oil Burner, Models 8, 18 and 28.

209-32-SA—Crocker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

62-33-SA—Florence Oil Heater, Models GC-6, GC-7, GS-27 and CH-28.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

238-33-SA—Lynn Range Burner, Models Junior, Lypre, DeLuxe, Circulating Heater and Cabinet Heater.

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

349-33-SA—Herco Oil Burner.

32-34-SA—Super Oil Burner for Pressing Machine.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

155-34-SA—Midget Oil Burner.

156-34-SA—Allen's Siamese Connections for Fire Department use.

165-34-SA—Rose Oil Heater.

172-34-SA—Silent Glow Oil Burner, Atmospheric Type.

181-34-SA—Genuine Detroit Constant Level Valve, Models CRC160, CRC180, CRC150, CRC350 and CRC550, Types A-D-H-K-L-M-S, S-1, S-2 and V-1-2-3-4.

182-34-SA—Genuine Detroit Anti-Syphon Valve, Model CRC100, Types V and S.

183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.

184-34-SA—Vapofier Oil Burner.

192-34-SA—Preferred Type B Anti-Syphon Valve.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

200-34-SA—Fox Range Oil Burner.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

205-34-SA—Automatic Firetox Extinguisher.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

219-34-SA—Florence Range Burners.

221-34-SA—The Ohio Pattern Works Foundry Co. Curb Fill Box (Gasoline).

224-34-SA—Progressive Press Machine Oil Burner.

234-34-SA—Bland Range Oil Burner.

236-34-SA—Air-O-Flame Range Burners.

237-34-SA—Holland Type "F" Oil Burner.

250-34-SA—A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6 and AS-9 and A-3798 Water Heater Assembly.

251-34-SA—No-Wyck Range and Stove Oil Burner.

256-34-SA—"Standard" One-Piece Closet Combination.

263-34-SA—Loneragan Oil Burning Heater, Models F-2, F-3 and C-4.

266-34-SA—Timken Silent Automatic Pressure Type Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

USE OF HYDRATED LIME IN CONCRETE

Adopted by the Board of Standards and Appeals, April 19, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	36
Cases filed up to October 3, 1934.....	279	Dismissed	13
Restored to Calendar.....	78	Denied	96
		Granted	0
		Granted on condition.....	142
		Appliances approved	44
		Appliances dismissed, disapproved or withdrawn....	30
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	237	Requests to reopen granted.....	206
Requests to amend.....	77	Requests to reopen denied.....	18
Requests for modification.....	1	Requests to amend granted.....	77
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	45	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	45
Requests for interpretation.....	1	Requests for extension of time denied.....	0
		Requests for extension of permit granted.....	12
		Requests for extension of permit denied.....	0
		Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	13
Total	953	Total.....	746
Disposed of	746		
Cases pending October 3, 1934.....	207		

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

Name.....

Street.....

P. O.....

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 11, 1924.

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OCT 20 1934

Vol. XIX Subscription \$2.50 a year OCTOBER 16, 1934 No. 42.

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, October 15, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, October 22, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman

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DOCKET.

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286-34-S.....	D.B.B.....	12 Gratton st. (Block 3102, Lot 11), Brooklyn. 1086-LD.
285-34-A.....	D.B.M.....	Center of Roadway-Park ave., 111th to 113th streets and from 113th to 115th streets; (under Viaduct of N.Y.C. R.R.), Manhattan. N.B. 118-34.
284-34-BZ.....	D.B.M.....	205 East 72nd st. (Block 1427, Lot 4½), Manhattan. Decision.
283-34-BZ.....	D.B.B.....	241 Linwood st., 186-190 Essex st. and Interior lots, 3008-3012 Fulton st., S.E. cor. (Block 3956, Lot 58 and part of 43 et. al.), Brooklyn. Applic. 12657-34.
282-34-A.....	D.B.M.....	501-509 East 71st st., 500-503 East 72nd st. and 1334-1352 York ave., N.E. cor. York ave. and East 71st st. (Block 1483, Lot 1), Manhattan. Alt. 2445-34.
281-34-BZ.....	D.B.Q.....	77-06 to 77-14 Astoria blvd., Grand Central Parkway Ex- tension at 77th st., S.E. cor. (Block 1030, part of Lot No. 40), Jackson Heights, Queens. N.B. 1656-34.
280-34-A.....	F.D.....	60 Pine st. and 20 Cedar st. (Block 41, Lot 16), Manhat- tan. 3769-LC.

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H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

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CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 15, 1934, AT 2 P. M.

Building Zone Cases.

109-34-BZ.

APPLICANT—Jacob Lubroth, for Louis Greenstein, owner.

PREMISES—Southwest corner of Myrtle avenue and Cypress Hills street (Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop.

179-34-BZ.

APPLICANT—Hugo E. Magnuson, for Estate of Maria K. Gray, owner.

PREMISES—Southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a business building (stores).

195-34-BZ.

APPLICANT—William F. Regan, for Hattie M. Marks, owner.

PREMISES—1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

230-34-BZ.

APPLICANT—Martin J. Ort, for William F. Clark, owner.

PREMISES—303-305 Fourth avenue, southeast corner of 2d street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

CALENDAR

TO PERMIT in a business district the maintenance of an existing motor vehicle repair shop.

339-33-BZ.

APPLICANT—Samuels and Samuels, for Otnas Realty, Inc., owner.

PREMISES—14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened July 17, 1934),

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn).

227-20-BZ.

APPLICANT—Samuel Rosenblum, for Goble Jerome Co., Inc., present owner.

PREMISES—1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened September 18, 1934),

TO PERMIT in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles, to be used in part for a gasoline service station.

OCTOBER 16, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 16, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 126-34-BZ—Application, May 9, 1934, under section 21 of the building zone resolution, of Philip Schneider, applicant, on behalf of Sarah Feinman, owner, to permit in a business district the maintenance of a motor vehicle repair shop; premises 609 Snediker avenue (Block No. 3851, Lot No. 1), Borough of Brooklyn.

CAL. NO. 127-34-BZ—Application, May 10, 1934, under section 21 of the building zone resolution, of Peter Brandt, applicant, on behalf of George Zauderer & Sons, Inc., owner, to permit in a residence district the alteration and change of occupancy of part of an existing building to business use; premises 288-290 West 92d street (Block No. 1239, Lot No. 56), Borough of Manhattan.

CAL. NO. 159-34-BZ—Application, June 12, 1934, under section 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Inc., owner, to permit partly in a business district and partly in a residence district the extension of an existing gasoline service station; premises southwest corner of East Fordham road and Arthur avenue (Block No. 3067, Lot Nos. 54 and 56), Borough of The Bronx.

CAL. NO. 180-34-BZ—Application, June 22, 1934, under section 21 of the building zone resolution, of Christensen Engineering Co., Inc., applicant, on behalf of Kazimer Wajda, owner, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises southwest corner of 123d avenue and Sutphin boulevard (Block No. 2831, Lot No. 71), Jamaica, Borough of Queens.

CAL. NO. 229-34-BZ—Application, August 8, 1934, under section 21 of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of John McCluskey, owner, to permit in a business district the erection and maintenance of a repair shop for motor vehicles in connection with automobile sales building; premises 531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1934, 2 P. M.

Appeals from Administrative Orders.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

209-34-A—2-12 Taylor street (Block No. 2174, Lot No. 14), Brooklyn.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

248-34-A—343-345 Madison avenue (Block No. 1279, Lot Nos. 22 and 23), Borough of Manhattan.

255-34-A—109 East 73rd street (Block No. 1408, Lot No. 7), Borough of Manhattan.

279-34-A—113-14 Jamaica avenue (Block No. 220, Lot No. 6), Richmond Hill, Borough of Queens.

285-34-A—Center of Roadway—Park avenue, 111th street to 115th street (under Viaduct of New York Central R.R.), Borough of Manhattan.

Appliances Submitted for Approval.

274-34-SA—B. & H. Radiant Stove Oil Burner.

275-34-SA—Vapomatic Oil Burner.

276-34-SA—Gem Fire Extinguisher, Model O.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 16, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 73-34-BZ—Application of Michael Levine, on behalf of Karron and Lieberman, Inc., owner, reopened June 19, 1934, under section 21 of the building zone resolution.

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tion, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a gasoline service station—part of a larger plot located partly in a business district and partly in a residence district upon which a similar application was denied; premises 1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 $\frac{3}{8}$ in. south of 20th avenue (Block No. 5464, part of Lot No. 15), Borough of Brooklyn.

CAL. NO. 185-34-BZ—Application, June 23, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Ben H. Sanders and Henry A. Doten, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises north side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS M. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 22, 1934, AT 2 P. M.

Building Zone Cases.

211-34-BZ.

APPLICANT—Abraham M. Bakerman, for Rebecca Bakerman and Sadie Cooper, owners.

PREMISES—Northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

214-34-BZ.

APPLICANT—Benjamin N. Brody, for Peter Schwartz, owner.

PREMISES—412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a junk shop.

215-34-BZ.

APPLICANT—Leonard J. Tompkins, for Jamaica Savings Bank, owner.

PREMISES—Southwest corner of Merrick road and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

238-34-BZ.

APPLICANT—Lama and Proskauer, for David F. Walsh, owner.

PREMISES—480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

OCTOBER 23, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 23, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 206-34-BZ—Application, July 11, 1934, under section 21 of the building zone resolution, of Clelia D'Alessandro, applicant, on behalf of Mary Picerno, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Jewett avenue and Castleton avenue (Block No. 1026, Lot No. 47), Port Richmond, Borough of Richmond.

CAL. NO. 193-34-BZ—Application July 2, 1934, under sections 7f and 21 of the building resolution, of Edward Winter (Lessee), on behalf of Henry Ruttenberg, owner, to permit in a residence district an office and parking space for more than five motor vehicles; premises northeast corner of Watjean court and Fernside avenue (Block No. 271, Lot Nos. 1 and 38), Far Rockaway, Borough of Queens.

CAL. NO. 212-34-BZ—Application, July 19, 1934, under section 21 of the building zone resolution, of Louis A. Brown, substituted for Bailey & Ferrara, applicant, on behalf of Mabel O. Parker, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn.

CAL. NO. 222-34-BZ—Application, August 2, 1934, under section 21 of the building zone resolution,

CALENDAR

of Samuels and Samuels, applicants, on behalf of Meyer Werman, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Little Neck parkway and Hillside avenue (Block No. 4523, part of Lot No. 51), Floral Park, Borough of Queens.

AL. NO. 223-34-BZ—Application, August 3, 1934, under section 21 of the building zone resolution, of Kennedy & Ellner, applicants, on behalf of Albert V. Leudermann, Lillian B. Leudermann and Lena Wenner, owners, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot No. 1), Bayside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1934, 2 P. M.

Appeal from Administrative Order.

52-34-A—1410 Bedford avenue (Block No. 1224, Lot No. 45), Borough of Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 23, 1934, at 2 o'clock, in Room 1013, Municipal building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

AL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

AL. NO. 262-32-BZ—Application of Edward J. Walsh and Mary Walsh, owners, reopened September 11, 1934, under section 7f of the building zone resolution for consideration as to extension of permit—re Application, permitting in a business district the erection and maintenance of a gasoline service station for a temporary period of two (2) years; premises southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

CAL. NO. 168-34-BZ—Application, June 19, 1934, under section 21 of the building zone resolution, of Philip Schmeizer, applicant and lessee, on behalf of Ida M. Melton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises south side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Borough of Queens.

CAL. NO. 168-28-BZ—Application of John Kochendorfer, on behalf of Adelaide F. Garbade, owner, reopened June 12, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 307-33-BZ—Application of H. E. Horwood, on behalf of 1758 Coney Island Avenue Realty Co., Inc., owner, reopened September 18, 1934 for amendment to resolution to permit the inclusion of a gasoline service station—re Application, granted under section 21 of the building zone resolution, permitting in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop, brake testing, automobile laundry and greasing for a period of five (5) years; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 29, 1934, AT 2 P. M.

Building Zone Cases.

191-34-BZ.

APPLICANT—Croker Fire Prevention Corporation, for The Hermitage Corp., owner.

PREMISES—2087 Boston road, west side, 100 ft. south of east 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the use of a plot of ground as a parking space for more than five motor vehicles.

207-34-BZ.

APPLICANT—Herman Kron, for Anna Shattan, owner.

PREMISES—Southeast corner of Steuben street and Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

CALENDAR

460-26-BZ.

APPLICANT—Thomas W. Lamb, Inc., for Brooklyn Ridgewood Corp., present owner.

PREMISES—4921-4923 Fifth avenue, 514-534 49th street and 513-533 50th street (Block No. 784, Lot No. 2), Borough of Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened September 11, 1934).

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a building to be used as a theatre (previously granted by the board, and time to complete building has expired).

OCTOBER 30, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 30, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

tion and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 1058-24-BZ—Application of Max Klein, on behalf of Max Tharler, owner, reopened May 29, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop; premises east side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), Borough of The Bronx.

CAL. NO. 227-34-BZ—Application, August 6, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Jacob Morgenthau Sons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Queens boulevard and 51st avenue (Block No. 2472, Lot No. 9), Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, OCTOBER 9, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, October 2, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, October 2, 1934, were approved as printed in Bulletin No. 41, Vol. XIX.

BUILDING ZONE CASES.

29-34-BZ.

APPLICANT—Norman L. Adolf, for Rose Metchik, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Roth, Seth Friedman and Norman L. Adolf.

For Opposition: Charles Zwirn and Morris Gelmis.

ACTION OF BOARD—Laid over to October 30, 1934, at 10 a. m., for final disposition.

168-34-BZ.

APPLICANT—Philip Schmeizer, for Ida M. Melton, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—South side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Philip Schmeizer and John F. Sheridan.

For Opposition: Joseph J. Ball.

ACTION OF BOARD—Laid over to October 23, 1934, at 2 p. m., for report of committee on inspection. No further argument.

1058-24-BZ.

APPLICANT—Max Klein, for Max Tharler, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

PREMISES AFFECTED—East side of Intervale avenue 90 ft. 8 in. south of Kelly street (Block No. 2706 Lot No. 13), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Lerner.

For Opposition: Jacob Ziegler, Gaylord Smith Montague S. Mendelsolin and Josephine Pfeiffer.

ACTION OF BOARD—Laid over to October 30, 1934, at 10 a. m. No appearance of applicant.

MINUTES

168-28-BZ.

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

PREMISES AFFECTED—Northwest corner of Kissena boulevard and North Hempstead turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: John Kochendorfer, Adelaide F. Garbade and William H. Garbade.

For Opposition: L. C. Squire.

ACTION OF BOARD—Laid over to October 23, 1934, at 2 p. m., for report of committee on inspection. No further argument.

167-34-BZ.

APPLICANT—Vincent M. Cajano, for Insular Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jerome C. Nicari and Andrew Ciofalo.

For Opposition: Max Aranow.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(167-34-BZ)

WHEREAS, Vincent M. Cajano, for Insular Realty Corporation, owner, filed June 18, 1934, an application under the building zone resolution to permit in a business district the change of occupancy of an existing building to a motor vehicle repair shop; premises: 1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 9, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Coney Island avenue is in a business district; East 12th street is in a residence district; Avenue N is in a business and residence district and Avenue O is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered, May 29, 1934, re Applic. No. 4493-1934, reads:

"1. Proposed change to automobile repair shop is contrary to article 2, section 4a (29) of the building zone resolution."

and

WHEREAS, the building is of non-fireproof construction, the story in height, with a frontage of 50 ft. and a depth of 100 ft. to be occupied in part as a motor vehicle repair

shop, and the remainder of the building for a conforming use; and

WHEREAS, the board deemed, after inspecting the property, that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution, temporary hardship, and was, therefore, entitled to relief.

Resolved, that the Board of Standard and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution under section 21 and that the application be and it hereby is granted for a period of two years from the date of this action, permitting the rear portion of the building to be used for light automobile repairing, on condition that the ceiling shall be fire-retarded; that windows opening on the rear shall be made fireproof self-closing; that if there are windows or other openings in the adjoining building to the south, that all openings in this building opening to the yard shall also be fireproof self-closing; that the skylights shall be glazed with wire glass; that the repairing shall not include the use of forge or open flame acetylene torch or anvil and shall be limited to such work as can be done with tools and light machinery, none of which require motor power of more than ½ h.p.; that such auxiliary fire-fighting appliances shall be installed as the administrative official may direct; that the front portion of the building shall be retained for conforming occupancy and shall be entirely cut off by fireproof walls from the balance of the building; that a corrected plan shall be submitted, showing the space to be occupied by the repair shop and all existing openings and skylights, for record with this Board, before filing with the commissioner of buildings; that repairing shall be carried on only during business hours, during the day and not at night or Sundays or holidays.

158-34-BZ.

APPLICANT—Arthur H. Haaren for Kesbec, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing gasoline service station.

PREMISES AFFECTED—Block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur H. Haaren and John F. Burns.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(158-34-BZ)

WHEREAS, Arthur H. Haaren, for Kesbec, Inc., owner, filed June 12, 1934, an application under the building zone resolution to permit in a business district the extension of an existing gasoline service station; premises: block bounded by Westchester avenue, White Plains road, East 177th street and Hugh J. Grant circle (Block No. 3928, Lot Nos. 1, 5, 6 and 7), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 9, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Westchester avenue is

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in a business district; 177th street is in a business district and White Plains road is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered July 5, 1934, re Applic. N.B. 94-34, reads:

"1. Erection of buildings and maintenance of premises for extension of plot in business district to be used as extension to existing gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 145 ft. on Westchester avenue, 144 ft. on White Plains road, 175 ft. on 177th street, and 25 ft. on Hugh J. Grant circle. Upon the easterly portion of the plot having a frontage of 78 ft. on Westchester avenue and 90 ft. on 177th street, there is located a gasoline service station. Proposes to rearrange the existing gas station and extend it so as to cover the entire plot in accordance with plans filed June 12, 1934; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make* a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21, permitting the plot under appeal to be used for a gasoline service station in conjunction with the existing gasoline service station adjoining, *on condition* that the entire plot shall be cleared of all buildings and new buildings erected substantially in accordance with plans filed with this appeal; that the accessory buildings shall be not more than one story in height and shall consist only of sections for office and lubricating; that these buildings shall be erected along the street line of Westchester avenue as indicated; that they shall be constructed of incombustible materials except that the roof beams and roof boarding, window frames, sash and doors may be of wood, provided the ceilings throughout are fire retarded in accordance with the Rules of the Board of Standards and Ap-

peals and the roof weather surfacing is of fireproof materials; that there shall be no open excavation under these buildings except the pits for greasing racks; that if doors are constructed in front of greasing pits there shall be installed a ventilating system exhausting the air under the greasing floor and through and above the roof or through open area on the property and that the fan and motor for this ventilating system shall be of spark-proof type; that the entire plot where not covered by accessory buildings shall be cement-paved; that there shall be erected on all street building lines, where not covered by accessory buildings, a curbing not less than 12 in. in width and not less than 5 in. in height, with top rounded, this curb to be of reinforced concrete, constructed integral with the concrete pavement adjacent and with openings in this curb limited to two to Westchester avenue, three to 177th street and three to White Plains road, with no opening exceeding 25 ft. in width; that curb cuts opposite shall not exceed 30 ft. in width; that no part of any opening shall be nearer the corner formed by the street intersections than 5 ft.; that the gasoline pumps erected shall be not nearer than 15 ft. to the street building line; that advertising shall be limited to the illuminated globes of the gasoline pumps and to a permanent sign attached to the accessory buildings, excluding all roof signs and all temporary signs of every nature; that no portable gasoline pumps shall be used at or from the property; that there shall be no motor vehicle repairing carried on and no parking of cars other than those being serviced; that plans shall be submitted to the chairman and approved by him in behalf of the board before filing with the commissioner of buildings; and that all permits shall be obtained within six months and all work completed one year from the date of this action.

Adjourned, 12:30 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 9, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

307-33-BZ.

APPLICANT—H. E. Horwood, for 1758 Coney Island Avenue Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) granted under section 21 of the building zone resolution, permitting in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop, brake testing, automobile laundry and greasing for a period of five years. Reopened September 18, 1934, for amendment to include gasoline service station.

PREMISES AFFECTED—1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman E. Horwood and Samuel Goldberg.

For Opposition: Leonard Ring, Jacob Held, Robert Aberman, Louis G. Langer and Andrew A. Rankin.

ACTION OF BOARD—Laid over to October 23, 1934, at 2 p. m., for further consideration and report by committee of the board. No further argument.

556-26-BZ.

APPLICANT—John F. Meehan, for Avoncel Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Meehan.
For Opposition: None.

ACTION OF BOARD—Laid over to October 16, 1934, at 2 p. m., for further inspection and consideration by the board.

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287-34-BZ.

APPLICANT—Howard Kelly, for Mutual Life Insurance Co., owner.

SUBJECT—Request for Acceptance—re Application (decision of the commissioner of buildings) under section 21, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—279-289 East 170th street and 1401-1409 College avenue, northwest corner (Block No. 2786, part of Lot Nos. 2, 6 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Howard Kelly.

ACTION OF BOARD—Application accepted.

THE VOTE TO ACCEPT APPLICATION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

153-34-BZ.

APPLICANT—Rhodie & Belous, for Bertha Gerton, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4 inclusive), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Charles Belous.

For Opposition: Barney Rodell.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(153-34-BZ)

WHEREAS, Rhodie and Belous, for Bertha Gerton, owner, filed June 5, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: northeast corner of Fresh Meadow road and 65th avenue (Block No. 2679, Lot Nos. 1 to 4, inc.), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 9, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Fresh Meadow road is in a business district; 65th avenue is in a residence district and 174th street is in business and residence districts; and

WHEREAS, the decision of the commissioner of buildings, rendered May 18, 1934, re Plan No. 543, reads:

"The erection of a gasoline station within a business district is contrary to section 4A 46 of the zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 78.8 ft. on Fresh

Meadow road and 89.2 ft. on 174th street, upon which it is proposed to erect a one story office 14 ft. by 14 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the property under appeal was the subject of an inspection by a committee of the board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No. 153-34-BZ.

Premises: Northeast corner of Fresh Meadow road and 65th avenue (Block 2679, Lots 1 and 4), Flushing, Borough of Queens.

In this application, brought under section 21, a zoning variance is requested to permit a gasoline service station on a triangular plot at the northeast corner of Fresh Meadow road and 174th street, known as Morton street, in an area zoned for business use. This site is within a block of Nassau boulevard, known as Horace Harding boulevard, to the north. Except for the frontage along Fresh Meadow road, the areas to the east and west are zoned for residence use and are generally vacant.

The applicants property is assessed for \$1200 and the carrying charges other than interest on the invested capital amount to approximately \$90. Owing to the carrying charges, the non-conforming use of the gasoline station is requested as the owner claims that he cannot use it for a conforming use. Two opinions by real estate brokers state that there is no demand for stores and the premises under appeal is a relatively small parcel of triangular shape, having a frontage of 78 ft. on Fresh Meadow road, which is the only important thoroughfare, and the greatest width at the base of the triangle is 43 ft.

This site was inspected by a committee of the board on September 27, 1934. The committee noted that such non-conforming uses as now exist are all on the opposite side of Fresh Meadow road, consisting of two gas stations on the block opposite and a garage on the opposite side of Fresh Meadow road to the south. In the opinion of the committee no additional gas stations are needed. The traffic through Fresh Meadow road is not heavy and will be diverted presently when Utopia avenue is completed and becomes the main traffic thoroughfare for this section from Hillside avenue, Jamaica, to Horace Harding boulevard and thence to Whitestone. In the opinion of the committee this triangle is available for conforming use and the invested amount is not sufficient in itself to justify adding another non-conforming use for the further retardation of development and injury to adjoining properties and particularly the owners of residential property in the block adjacent. Further than this, the plot is so small as not to be suitable for a gasoline station use, with the result that the sidewalks would necessarily be in constant use to supplement the station area. In fact, it would be practically impossible to locate the gas pumps so as to prevent the constant use of the public sidewalk, provided the usual conditions as set down as to pumps being at least 10 ft. from the street lines were complied with. Further than this, the lot is not level and grades downwardly from Fresh Meadow road to Morton street, which street is not yet curbed but is passable. This condition would make the operation of a gas station, due to its narrow width, all the more difficult.

The committee recommends that this application be denied as they have not found that sufficient unnecessary hardship has been proven to justify this variance. Further, that no additional gas station is needed and that more hardship would be caused to adjoining own-

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ers, including the existing gasoline station owners, than granting relief to this applicant would warrant.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application brought under section 21 of the building zone resolution; and the board deemed that the applicant had failed to substantiate his basis of application under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

121-34-BZ.

APPLICANT—Meyer Wilen, for Novick Holding Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North side of Northern boulevard, 108.78 ft. west of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

APPEARANCES—

For Applicant: Meyer Wilen.

For Opposition: Theobald J. Dengles.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(121-34-BZ)

WHEREAS, Meyer Wilen, for Novick Holding Corp., owner, filed May 2, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: north side of Northern boulevard 108.78 ft. west of Cross Island boulevard (Block No. 5373, Lot. Nos. 14, 15 and 17), Auburndale, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 9, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard and Cross Island boulevard are both in a business district; 42d road is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 16, 1934, re Plan No. 267, reads:

"The erection of a gasoline service station in a business district is contrary to article 2, section 4, subdivision 46 of the building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 132.9 ft. on Northern boulevard, 215 ft. along the west lot line and a distance of 247 ft. along the east lot line. Proposes to remove the two story and attic frame building and the one story store structure located on the plot; proposes to erect upon the plot a one story office and auto laundry building 28 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the property under appeal was the subject of an inspection by a committee of the board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No. 121-34-BZ.

Premises: North side of Northern boulevard, 108.78 ft. west of Cross Island boulevard (Block No. 5373, Lot Nos. 14, 15 and 17), Auburndale, Borough of Queens.

The premises under appeal are located on the north-erly side of Northern boulevard, a little over 100 feet from the intersection of Cross Island boulevard, which is a very important traffic intersection. All of the property at this intersection is zoned for business use; and the property adjoining in the rear on all sides is zoned for residence use. This property under appeal has a frontage of 132 ft. and is of gore shape and over 200' ft. deep, and erected on it at the present time is a private house with an extension to the street building line consisting of a one-story brick store, which is now used for the sale of automobile accessories and tires. This is a conforming use which the applicant wishes to displace with and erect instead a gasoline service station, apparently because the income expected therefrom will be greater.

This property was inspected by a committee of the board on September 27th, and the committee can see no justification for the proposed variance. It has been established by court decisions that a change from a conforming use to a non-conforming use because of the expected additional revenue is not a proper claim of hardship.

The adjoining owners on Cross Island boulevard and Northern boulevard are in opposition and they hold land that is now vacant, whereas this owner has at least some income from his. They oppose this application because it would be highly detrimental and would depreciate the property which they have been holding for its future value. It is also pointed out, which the committee confirms, that there are many gasoline service stations along Northern boulevard amply sufficient for all requirements and that further stations are not needed. It appears that the entire section is under a so-called Auburndale restrictive covenant and that this plot under appeal was released from this covenant sometime ago to permit the erection of the existing store.

The committee can find no possible justification for this variance and recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommends the denial of the application, and the board deemed that applicant had failed to substantiate the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

160-34-BZ.

APPLICANT—Kennedy & Ellner, for Architect Building Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 21 and 7c of the building zone resolution, to permit in a residence district the maintenance of an existing shed for the storage of lumber.

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PREMISES AFFECTED—North side of 84th drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 64), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Clarence Leventhal.

For Opposition: S. F. Palmieri.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(160-34-BZ)

WHEREAS, Kennedy & Ellner, for Architect Building Corporation, owner, filed June 12, 1934, an application under the building zone resolution to permit in a residence district the maintenance of an existing shed for the storage of lumber; premises: north side of 84th drive, 100 ft. east of Queens boulevard (Block No. 710, Lot No. 64), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 9, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 84th drive is in residence and business districts; Queens boulevard is in a business district and 85th drive (Manton street) is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 25, 1934, re Plan No. 819, reads:

"1. The erection of a storage shed in a residence district is contrary to article 2, section 3, of the zoning law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 141 ft. 6 in. on 84th drive and 96.8 ft. on Queens boulevard, the north easterly portion (or the 84th drive frontage) of the plot extends into the residence district for a distance of 41 ft. 6 in. the remainder of the plot is in the business district. There is located on the Queens boulevard front of the plot a one story and attic office (residence type of construction) and along the north westerly side lot line of the plot there is located a one story concrete block structure running along the entire lot line and used for lumber storage. This structure extends into the residence district for a distance of 41 ft. 6 in.; and

WHEREAS, the property under appeal was the subject of an inspection and report by a committee of the board, which was read at this hearing and which recommended the granting of the application under sections 7-C and 21 of the building zone resolution for a period of two years under such conditions as the board deems necessary.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under sections 7-C and 21 of the building zone resolution, for a period of two years from the date of this action, permitting the area within the residential district and the existing one-story shed thereon to be used in conjunction with the existing use on the balance of this plot within the business use area, on condition that the plans shall be filed with the commissioner of buildings for approval by him of the structural features of this one-story building within the residential area; that this building shall not be increased in height or area; that the material stored within the open portion of the residential area shall not be nearer than 15 feet from the adjoining northeasterly property line; that

the wood fence along 84th drive shall be maintained; that the existing gate therein within the residential area shall be used for emergency purposes only; and that all permits shall be obtained within two months and all work completed within three months from the date of this action.

235-23-BZ.

APPLICANT—Edwin W. Kleinert, for Albert Ritterman, present owner.

SUBJECT—Application (re decision of the commissioner of buildings) reopened September 25, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—2306-2324 Neptune avenue (Block No. 7015, part of Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(235-23-BZ)

WHEREAS, Edwin W. Kleinert, for Albert Ritterman, present owner, filed an application for reopening, garage having been granted September 30, 1924, under the building zone resolution to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises: 2306-2324 Neptune avenue (Block No. 7015, part of Lot No. 3), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 9, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Neptune avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 16, 1934, re Applic. No. 106665-1934, reads:

"1. A change in occupancy of a portion of a building erected under permit granted by the Board of Appeals from one prohibited use to another, must be referred to Board of Appeals."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 100 ft. and a depth of 160 ft., occupied as a garage, it is proposed to set back a portion of the front wall for a gasoline service station.

Resolved, that the resolution adopted by the board on September 30, 1934, be and it hereby is amended by incorporating therein this additional paragraph reading:

"That the front wall of this building for a distance of 80 ft. toward the west may be eliminated to provide for the construction of an alcove gasoline station, as indicated on plans marked "received September 14, 1934." on condition that there shall be constructed at a point at least 19 feet southerly from Neptune avenue and parallel thereto a continuous masonry wall for the full height of the building from the foundation below the floor line to the underneath side of the roof boarding; that the roof over this proposed gasoline selling station alcove shall be completely removed;

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that the wall along the westerly lot line shall remain out to the building line; that all windows from this gasoline alcove opening into the garage or garage office shall be fireproof, self-closing; that no gasoline pumps shall be erected nearer than 10 ft. from the street building line and not nearer than 5 ft. from the garage wall; that any existing or proposed gasoline tanks shall be buried so that the tanks are below the level of the boiler room floor; that the boiler room shall be entirely separated from the balance of the building by fireproof construction and enterable only from the exterior of the building; that no portable gasoline tanks shall, after the construction of this gasoline selling alcove, be used on or from the entire premises; that the gasoline selling alcove wall shall be constructed of face brick and trimmings agreeing with the balance of the front of the building; that nothing in this amendment shall change or alter any provision in the resolution adopted by the board on September 30, 1934, except as to the construction of this gasoline selling alcove; that all permits required shall be obtained within six months and all work completed within one year from the date of this amended resolution."

294-27-BZ.

APPLICANT—H. Kronenberg, for Mokel Realty Corp., owner.

SUBJECT—Application for reopening—amendment re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—951-959 Lenox road, north side, from East 57th street to Remsen avenue (Block No. 4644, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. Kronenberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(294-27-BZ)

WHEREAS, this application affecting premises 951-959 Lenox road (Block No. 4644, Lot No. 1), Borough of Brooklyn, was granted by the board October 28, 1927, on certain conditions, amended by approval of plans July 24, 1928, and further amended March 13, 1934, and owner requests a further amendment of the resolution.

Resolved, that the resolution adopted by the board on October 28, 1927, as amended by action of the board July 24, 1928, approving plans and as amended March 13, 1934, be further amended only so far as it refers to concrete curbing to be constructed along the building line and entrance to the premises, to wit: that a reinforced concrete curbing not less than 5 in. in height with a rounded top and not less than 12 in. in width shall be constructed along the street building line on the Lenox road and Remsen avenue frontages, with not over two entrances from Remsen avenue and not over one entrance from Lenox road; that these entrances shall not exceed 25 ft. in width and that no part of any entrance shall be nearer than 5 ft. to the corner formed by the intersection of Lenox road and Remsen

avenue and the corner formed by the intersection of East 57th street and Remsen avenue; that opposite these entrances curb cuts shall not exceed 30 ft. each in width; that there shall be constructed along the entire street building line of East 57th street a similar continuous concrete curb not less than 12 in. in height and 12 in. in width and no openings therein; that other than as amended herein the resolution adopted by the board on October 28, 1927, as amended by approval of plans July 24, 1928, shall be complied with in all respects.

296-33-BZ.

APPLICANT—Richmond Railways, Inc., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) granted under sections 7a, 7g and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop.

PREMISES AFFECTED—92 Brook street, south side, 180 ft. east of Jersey street (Block No. 34, Lot Nos. 12, 45, 52, 1 and 22), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Robert Clary.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(296-33-BZ)

WHEREAS, this application affecting premises 92 Brook street, south side, 180 ft. east of Jersey street (Block No. 34, Lot Nos. 12, 45, 52, 1 and 22), Tompkinsville, Borough of Richmond; was granted by the board November 6, 1933, on certain conditions, and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on November 8, 1933, only so far as it relates to the completion of work, so that as amended this portion of the resolution will read:

"... that in view of the statement by applicant that all permits have been obtained and that approximately one-half of building has been completed, that all work shall be completed within one year from the date of this amended action, and that other than as amended the resolution adopted by the board on November 8, 1933, shall be complied with in all respects."

159-23-BZ.

APPLICANT—Bly and Hamann, for Consolidated Motor Parts, Inc., lessee.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) granted under section 7g of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—114-134 Empire boulevard (Block No. 1313, Lot No. 36), Borough of Brooklyn.

MINUTES

APPEARANCES—

For Applicant: John H. Hamann.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(159-23-BZ)

WHEREAS, this application affecting premises 114-134 Empire boulevard (Block No. 1313, Lot No. 36), Borough of Brooklyn, was granted by the board May 29, 1923, on certain conditions, and present lessees, through their architect, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board on May 29, 1923, by adding thereto the following paragraph:

“ . . . that the westerly portion of this garage, with a frontage of 90 ft. and a depth of 100 ft., may be used as a sales store and machine shop for auto parts in place of the public garage, variance of which was hereinbefore granted, *on condition* that this portion of the building will not be used for automobile repairing; that any skylights erected in the roof shall be of metal, glazed with wire glass; that no part of skylight shall be nearer than 10 ft. to the rear lot line wall; that all openings in the division wall between this portion of building used for storage and sales of auto parts and machine shop and the easterly portion used as public garage, shall be blocked up with approved masonry; that nothing in this amended resolution shall be inconsistent with the structural and fire protection requirements in the resolution adopted on May 29, 1923.”

225-33-BZ.

APPLICANT—Nat C. Helman, for Marie V. Hogan, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissinoer of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2761-2771 86th street, northwest corner of West 9th street (Block No. 7141, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nat C. Helman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(225-33-BZ)

WHEREAS, this application affecting premises 2761-2771 86th street, northwest corner of West 9th street (Block No. 7141, Lot No. 1), Borough of Brooklyn, was granted by the board November 28, 1933, on certain conditions, plans approved June 5, 1934, and appellant requests an extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on November 28, 1933, only so far as it refers to the completion of work, so that as amended this portion of resolution shall read:

“ . . . that in view of the plans having been duly filed and approved on June 5, 1934, as required, and in view of the statement of applicant that all necessary permits have been obtained, that all work shall be completed within one year from the date of this amended resolution, *on condition* that resolution adopted on November 28, 1933, other than as amended herein, shall be complied with in all respects.”

130-33-BZ.

APPLICANT—Edgar J. Moeller, for H. Hermann & Sons, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—401 East 60th street and 1102-1106 First avenue, northeast corner (Block No. 1455, Lot Nos. 1, 2 and 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Edgar J. Moeller.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(130-33-BZ)

WHEREAS, this application affecting premises 401 East 60th street and 1102-1106 First avenue, northeast corner (Block No. 1455, Lot Nos. 1, 2 and 3), Borough of Manhattan, was granted by the board July 5, 1933, on certain conditions, time extended May 8, 1934, and applicant requests a further extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on July 5, 1933, only so far as it has reference to obtaining permits and completing work, so that as amended this portion of resolution shall read:

“ . . . that all permits shall be obtained within six months and all work shall be completed within one year from the date of this action and that other than as amended herein the requirements of the resolution adopted on July 5, 1933, shall be complied with in all respects.”

MINUTES

72-30-BZ.

APPLICANT—Benjamin Driesler, Jr., architect, for The Connelly Construction Co., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the omission of a proposed garage and gasoline service station granted by the board and the substitution of a gasoline service station and motor vehicle repair shop.

PREMISES AFFECTED—3491-3507 Fort Hamilton parkway, south side, 264 ft. 5 in. east of 36th street (Block No. 5302, part of Lot No. 21 and part of Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Dreisler, Jr., and Paul W. Connelly.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(72-30-BZ)

WHEREAS, this application affecting premises 3491-3507 Fort Hamilton parkway, south side 264 ft. 5 in. east of 36th street (Block No. 5302, part of Lot Nos. 21 and 27), Borough of Brooklyn, was granted by the board October 17, 1933, on certain conditions, amended April 17, 1934, and applicant requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on October 17, 1933, so that as amended it will read as follows:

"Resolved that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application as amended by letter of August 21, 1933, and plans marked 'Received October 10, 1933,' and by revised plans marked 'Received October 5, 1934,' be and hereby is *granted* under section 21 *on condition* that there shall be erected on the rear line 100 ft. back from Fort Hamilton parkway and parallel thereto a masonry fence not less than 7 ft. in height and that on either side lot line from rear line to street line there shall be erected a fence of substantial woven wire at least 6 ft. in height; that accessory buildings shall not exceed one story in height and shall be located towards the rear of plot as indicated on revised plans filed; that the wall along the rear lot line may be used as the rear wall of these accessory buildings; that the accessory buildings shall be used only for automobile laundry, boiler room, office and greasing; that these accessory buildings shall be constructed of incombustible materials and faced with face brick except that the roof beams, roof boarding, window sash and frames may be of wood, provided the ceilings throughout are fire-retarded in accordance with the Rules of the Board of Standards and Appeals and that the weather surfacing of the roof shall be of incombustible materials; that the fronts of greasing pit section shall be left open except that if doors are desired same may be permitted

provided the greasing section is ventilated with a spark-proof fan venting to the open air on the property under appeal or through the roof; that such ventilation shall, however, be omitted if the greasing racks are of the hydraulic type without pits; that there shall be no cellar or open excavation under any of these buildings except pits for greasing racks; that no open flame shall be permitted on the property other than in boiler room closed off by fireproof partitions; that there shall be no automobile repairing on the premises; that there shall be no portable gasoline pumps used on or from the premises; that there shall be erected along the Fort Hamilton parkway street line a concrete curb not less than 12 in. in width and not less than 5 in. in height with rounded top and with not over two (2) openings therein, each opening not exceeding 25 ft. in width, with curb cuts opposite not exceeding 30 ft.; that the balance of the plot where not covered by accessory buildings shall be covered with cement paving or asphalt paving, except, however, that the portions at the rear to the east and west of accessory buildings, a space approximately 25 ft. by 25 ft. on either side, may have the cement or asphalt paving omitted provided these areas are suitably planted with shrubs and provided there shall be erected at the edge of the planted area a concrete curb at least 5 in. in height for protection; that gasoline pumps erected shall be at least 15 ft. back from building line; that advertising signs shall be limited to the illuminated globes of the gasoline pumps and to permanent flat wall signs attached to the fronts of the accessory buildings and excluding all roof signs and signs of a temporary nature; that all lights for illumination at night shall be on standards with metal reflectors; and that all permits shall be obtained within six months and all work completed within one year from the date of this *amended* resolution.

APPEALS FROM ADMINISTRATIVE ORDERS.

245-34-A.

APPELLANT—Preferred Utilities Company, Inc., for First National Oil Co., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—West side of Vernon boulevard, 90 ft. north of 43rd avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

APPEARANCES—

For Appellant: Frank Glanz.

For Administration: None.

ACTION OF BOARD—Appeal placed on Reserve Calendar.

252-34-A.

APPELLANT—Tridex Machine Corporation, for Bedford Chevrolet Sales Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1410 Bedford avenue (Block No. 1224, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Appellant: Edward A. Arnold.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal laid over to October 23, 1934, at 2 p. m., for inspection by board.

810-25-A.

APPELLANT—Clinton T. Roe, for Nellie B. Goddard, present owner.

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SUBJECT—Request for reopening—amendment—re Appeal from a decision of the superintendent of buildings.

PREMISES AFFECTED—427-439 Greenpoint avenue (foot of Greenpoint avenue and Newtown Creek Block No. 2517, Lot No. 160), Borough of Brooklyn.

APPEARANCES—

For Appellant: Clinton T. Roe and Edward M. Whaff.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(810-25-A)

WHEREAS, this appeal affecting premises 427-439 Greenpoint avenue, foot of Greenpoint avenue and Newtown Creek (Block 2517, Lot No. 160), Borough of Brooklyn, was granted by the board December 1, 1925, on certain conditions plans approved March 23, 1926, and the present owner through her attorneys requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board December 1, 1925, and plans approved on March 23, 1926, so as to permit the construction as indicated on revised diagrams marked "Received October 1, 1934" of a storage building at the easterly end of the property at Newtown Creek *on condition* that this storage building shall not exceed one story in height and shall be completely fireproof in all respects and shall be used for the storage only of such materials as are not inflammable; that this building shall be protected with such accessory fire-fighting appliances as the fire chief and commissioner shall direct; that the filling equipment indicated on approved plans along Greenpoint avenue may be omitted and in their place erected an approved type steel truck-loading rack; that the entire plant shall be equipped with a fire extinguishing system that shall fulfill in all respects requirements as will be determined for this installation by the fire chief and commissioner; that other than as amended herein the resolution adopted by the board on December 1, 1925, and the resolution approving plans on March 23, 1926, shall be complied with in all respects.

PETITIONS FOR VARIATIONS.

555-31-S.

PETITIONER—James Kearney, for Estate of Geo. W. Wilson, owner.

SUBJECT—Variation of the labor law, as cited in orders and a decision of the fire commissioner.

PREMISES AFFECTED—93-99 Nassau street, 28-30 Ann street and 135-139 Fulton street (Block No. 89, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Petitioner: None.
For Administration: None.

ACTION OF BOARD—Petition withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Negative 0
Absent 0

244-34-S.

PETITIONER—Croker Fire Prevention Corp., for William F. Dornbusch, owner.

SUBJECT—Variation of the labor law as cited in orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—115-117 Fulton street and 52-56 Ann street (Block No. 91, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Petitioner: Sidney Strauss.
For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Petition denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Absent 0

THE RESOLUTION—

(244-34-S)

WHEREAS, Croker Fire Prevention Corp., for William F. Dornbusch, owner, filed August 23, 1934, a petition for a variation from the requirements of the Labor Law as cited in orders and a decision of the commissioner of buildings affecting premises 115-117 Fulton street and 52-56 Ann street (Block No. 91, Lot No. 7), Borough of Manhattan; and

WHEREAS, the orders of the commissioner of buildings, dated June 18, 1934, 13913-LF, read:

"An inspection of the premises 115-117 Fulton street and 52-56 Ann street, Borough of Manhattan, shows that a fire drill should be established and maintained therein according to the requirements of section 279 of the Labor Law. The Labor Law specifically charges the commissioner with the duty of enforcing the provisions of the law as to fire drills.

"This law also holds the owner of such premises responsible for the proper supervision and maintenance of fire drills. It is, therefore, your duty to organize and maintain a fire drill in the above premises in accordance with the rules and regulations of the Board of Standards and Appeals.

"A record of such drills, including the name and number of each certified drill conductor engaged in conducting each drill, the date of each drill and the number of persons taking part in each drill, shall be transmitted by you or your representative to this office semi-annually."

13912-LF

"1. Install an adequate interior electric fire alarm system in accordance with the Rules of Board of Standards and Appeals and the enclosed approved layout."

and the decision of the commissioner of buildings, dated August 7, 1934, reads:

"In reply to your letter of July 17th, an inspection was made which shows that there are 75 persons above the first story, 14 of which are engaged at manufacturing, therefore, section 279 of the State Labor Law applies.

"It is the conclusion of this department that the order must be complied with unless the factory occupancy is reduced to a point where the above quoted section does not apply."

and

WHEREAS, the building is non-fireproof, 5 stories in height, 50 ft. 3 in. by 119 ft. 5 in. in area; occupied: cellar, boiler and storage, no occupancy; 1st story, stores,

MINUTES

9 persons; 2d story, office and showroom, 23 persons; 3d story, office and factory, 23 persons; 4th story, vacant; 5th story, office and printing, 11 persons; located within an unrestricted district; Exits: two interior steel and wood stairways, extending from the 1st story to roof (the southerly stairway extends to top story) enclosed in wood studs, metal lath and cement plaster partitions with fire-proof doors at openings, a fire escape on Ann street front of the building, having fireproof openings along the course thereof, extending from the 2d story to top story with counter-balanced stairs to sidewalk; Roofs of adjoining buildings; 10 feet lower at east; 10 feet higher at west; and

WHEREAS, the petitioner claims the building was erected about 1900; the factory occupancy consists of manufacturing optical goods on the 3d story, there are 13 persons so engaged; the owner proposes to discontinue the factory use at the expiration of the lease on April 30, 1936; furthermore, the petitioner contends that the building is provided with adequate means of exit in case of fire.

Resolved, that the orders and decision of the commissioner of buildings be and they hereby are *affirmed* and that the petition be and it hereby is *denied*.

APPLIANCES SUBMITTED FOR APPROVAL.

270-34-SA.

PETITIONER—Zenith Oil Burner Co., owner.

SUBJECT—Zenith Oil Burner, approval of.

APPEARANCES—

For Petitioner: Paul Rutheiser.

ACTION OF BOARD—Petition placed on Reserve Calendar and referred to engineer of board and bureau of combustibles, fire department, for test and report.

298-33-SA.

PETITIONER—American Gas Machine Company, Inc., owner.

SUBJECT—Application for Restoration to Calendar—American Blue Flame & Sun Flame Oil Burning Heaters—approval of.

APPEARANCES—

For Petitioner: E. L. McFarland.

ACTION OF BOARD—Petition restored to calendar and referred to engineer of board and bureau of combustibles, fire department, for test and report.

THE VOTE TO RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

162-33-SA.

PETITIONER—Ansonia Fire Prevention Eng. Co., Inc., for Elkhart Brass Mfg. Company, owner.

SUBJECT—Elkhart Combination Pressure Reducer and Hose Valve, approval of.

APPEARANCES—

For Petitioner: Herman E. Horwood.

ACTION OF BOARD—Petition laid over for full vote of board.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative: Assistant Chief Kidney.....	1
Absent	0

238-33-SA.

PETITIONER—David Kaufman, for Lynn Products Co., owner.

SUBJECT—Lynn Range Burner, Models Junior, Lypre and DeLuxe, approval of.

APPEARANCES—

For Petitioner: David Kaufman.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(238-33-SA)

WHEREAS, David Kaufman, for Lynn Products Co., owner, filed June 28, 1933, a petition with the Board of Standards and Appeals, for approval of the device known as the Lynn Range Burner, Models Junior, Lypre and De Luxe; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On September 13, 1934, Mr. John F. Dixon, acting chief inspector, bureau of combustibles, Mr. Charles E. Johnson, assistant inspector, bureau of combustibles, and Mr. Leslie V. Huber, chief engineer of the board, visited the premises 103 Center street, Borough of Manhattan, and inspected and tested the Lynn Range Burner in operation.

These burners consist essentially of a glass bottle mounted upon a stand connected to controlled valve and the burners proper which are installed inside the fire box of the range. The base of the burner consists of an iron casting of concentric rings with walls $\frac{3}{4}$ of an inch in height. Into these rings there are set perforated vaporizing cylinders, these cylinders having metal covers which hold them in position and the outer and inner series are equipped with asbestos wicks.

The oil level is regulated at the time of installation the cup of the stand supporting the glass bottle being about $\frac{1}{8}$ of an inch higher than the level of the burner ring. When this level is found the burner and cup are secured in place by means of Allen set screws. The two gallon supply bottle is equipped with a metal cover having two hand grips on it, and it is securely fastened to the stand by a locking collar.

The piping connecting the bottle to the burner was enclosed in "BX" cable securely fastened to the floor by means of incombustible fasteners.

The copper tubing used is extra heavy $\frac{5}{16}$ of an inch in outside diameter. The valves used are manufactured by the Lynn Products Company and are of the "V" Slot Principle, affording a fine control of the oil.

One of the burning units was started and allowed to burn until maximum heat was generated. The second unit was then turned on fully, and in approximately five minutes the oil in it was vaporized sufficiently that it was ignited by the heat from the first unit without any severe puff back.

We recognized in these burners, the inherent possible hazards due to location and operation. In recommending these burners for approval, we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

MINUTES

As this burner complies with the Oil Burner Rules adopted by the board June 15, 1934, it is recommended that same be approved with the recommendation submitted.

WHEREAS, this burner has been approved by the Underwriters Laboratories Guide No. 300-10-19, File MP 733.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Lynn Range Burner, Models "Junior," "Lupre" and "DeLuxe" on condition that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage container shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by shield of at least 1/2-inch asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outlets of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS

UNDER CAL. NO. 238-33-SA.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

592-31-SA.

PETITIONER—International Burners Corp., owner.

SUBJECT—Crescent Oil Burner, Models 8, 18 and 28, approval of (Type M, Size 1, previously approved).

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the bureau of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(592-31-SA)

WHEREAS, this application affecting the approval of the Crescent Oil Burner Type M Size 1 was granted by the board November 4, 1932, and this model approved and present owner requests approval of models 8, 18 and 28; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The Model 8 Burner consists of an Ohio 1/10 h.p. motor; a Sirocco Type Fan; a Tuthill Pump; a Detroit Lubricator Regulating and Cut Off Valve and Cuno Strainer; and a Monarch Nozzle . . . 1.65 gallons per hour.

Ignition—Electric.

Controls—Protectorelay R-117-3 and Pressuretrol Type L-404, manufactured by the Minneapolis Honeywell Company.

The Models 18 and 28 are identical with the above described model in all respects, except that a larger motor fan and nozzle is used. These models have been approved by the Underwriter's Laboratories Guide No. 300.10.4. File MP 445, 567 and 684.

It is, therefore, recommended that since there has been no material changes in these burners that the same be approved when installed in accordance with the Oil Burner Rules, for use in domestic and commercial installation with fuel oil not heavier than No. 3.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on November 4, 1932, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standard and Appeals does hereby *approve* device known as Crescent Oil Burner, Type M, Size 1, and also Models 8, 18 and 28, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals for use in domestic and commercial installations and for use with fuel oil not heavier than No. 3."

200-34-SA.

PETITIONER—David Kaufman, for Fox Engineering Co., owner.

SUBJECT—Fox Range Oil Burner—approval of.

APPEARANCES—

For Petitioner: David Kaufman.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(200-34-SA)

WHEREAS, David Kaufman, for Fox Engineering Co., owner, filed September 9, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Fox Range Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, ap-

MINUTES

proved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On September 21, 1934, Mr. John Dixon, acting chief inspector, and Mr. Charles Johnson, assistant inspector of the bureau of combustibles, and Mr. Leslie V. Huber, chief engineer, Board of Standards and Appeals, visited the premises, 153 Centre street, for the purpose of inspecting and testing the Fox Range Oil Burner.

This burner consists of a two gallon glass bottle covered with a perforated steel jacket having two hand grips. The burner device consists of two iron castings having concentric walls $\frac{3}{4}$ of an inch in height. On top of this casting is fitted four cylindrical perforated tubes. Each burner unit has a separate supporting iron stand with necessary set screw for leveling purposes. These stands were securely bolted to the ash pit of the range. The burner is equipped with the Hartford Machine Screw Company's regulating valve. The metal stand of the burner was securely fastened to the floor and protected with a "BX" cable.

The burner operated with one lighter for approximately 20 minutes. A full supply of oil was then turned on for the second section. There was no explosion of puffs. After about four minutes, the second burner ignited quietly. The copper tubing used on this burner is extra heavy $\frac{5}{16}$ of an inch in diameter.

There was recognized in these burners, the inherent possible hazards due to location and operation. In recommending these burners for approval it was suggested that certain recommendations be carried out in their installation and incorporated on the instruction card which should be placed near each burner installed.

As this burner was installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, it is recommended that the same be approved with the recommendation submitted.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Fox Range Oil Burner *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals, and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.
2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.
3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.
4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.
5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.
6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.
7. Only approved safety cans shall be used for the storage and filling of oil containers.
8. Storage container shall not be filled in same room when and where burner is in operation.
9. Floor beneath oil burner device shall be protected by shield of at least $\frac{1}{2}$ -inch asbestos or other

equivalent material, this shield to extend at least 12 inches beyond the outlets of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 200-34-SA

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

219-34-SA.

PETITIONER—Florence Stove Company, owner.

SUBJECT—Florence Range Burners—approval of.

APPEARANCES—

For Petitioner: Harvey Golden.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Kidney

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Negative

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Absent

0

THE RESOLUTION—

(219-34-SA)

WHEREAS, the Florence Stove Company, owner, filed July 9, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Florence Range Burners; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On September 28, 1934, Mr. John Dixon, acting chief Inspector, and Mr. Charles Johnson, assistant inspector of combustibles, and Mr. Leslie V. Huber, chief engineer of the Board of Standards and Appeals, visited the plant of the Florence Stove Company for the purpose of examining and testing the Florence Range Burners.

Before the burners proper were tested, a complete inspection of the method of manufacture, test and supervision was made, and we found that all care is exercised in order to turn out a first class product.

The burner proper consists of a cast iron base having two pair of concentric rings with walls $\frac{3}{4}$ in. in height, there being four perforated chromium steel rings inserted therein, with the inner and outer rings separated by an asbestos wick.

The burner unit proper consists of two units and on top of the rings are placed two steel covers. We have been informed that there is 16 per cent. chromium in the steel.

The base of the burner proper is bolted to the ash pit of the stove and set level by means of two adjusting screws. The storage container is of 24 U.S. gauge metal and of three-gallon capacity. It rests in an oil bowl 4 in. deep by $8\frac{1}{2}$ in. in diameter, which bowl is set on a heavy standard which can be securely bolted to the floor. This bowl has sufficient capacity to take up excess oil caused by possible expansion due to heat.

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The metal storage container is held in place by a ring that automatically locks itself when falling into the vertical position, thus securely holding the metal container to the stand. The valve used is manufactured by the Wooster Taper Pin Company, and is of a "V" shape slot type, permitting the entrance of the oil when turned on and shutting it off positively by a taper valve about 9/32 in. in diameter.

The copper tubing used on this burner is extra heavy about 3/16 in. outside diameter with walls .049 in thickness. An open pipe is provided in which the lighter tube can be placed when not in operation.

Test:

The container was tested under air at 10 pounds pressure. No distortion occurred however until the pressure reached 7 pounds. The distortion consisted of a slight bulge in the head. However, with this type of oil feed, no pressure would be developed under ordinary use.

One of the burner units was operated for over 30 minutes and for 10 minutes a full supply of oil being turned on. After 25 minutes, the valve controlling the oil supply to the dual unit was turned on and after the lapse of about five minutes, it ignited from the other burner with no puff or explosion.

This range burner and similar devices, are of the atmospheric pressure type. The oil level in the bowl from the storage container is set at about 3/16 in. above the bottom of the burner proper. After the cast iron base is heated, like other burners of its type, the oil is vaporized and burned in that state about the chromium rings.

It was recognized that in these burners there were inherent possible hazards due to location and operation by unskilled persons, and in recommending these burners for approval certain recommendations were made.

As this burner complies with the Oil Burner Rules of the Board of Standards and Appeals therefore recommended for approval when installed in accordance with such rules and the recommendation as to installation which shall be placed on instruction cards kept near each burner installation.

WHEREAS, this burner has been approved by the Underwriters Laboratories, Guide No. 300-10-19, File M.P. 735.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Florence Range Burners *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals, also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by shield of at least 1/2-in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outlets of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

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BOARD OF STANDARDS AND APPEALS

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This Storage Container.

Adjourned, 5:00 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

RULES

"STANDPIPE"- "FIRELINE" RULES ADOPTED JUNE 27, 1922; AMENDED MAY 18, 1928; JUNE 13, 1930; DECEMBER 2, 1930, and JANUARY 9, 1931.

[281-22-SR]

NOTE.—In republishing these Rules, no corrections have been made as to departmental jurisdiction, as such may be affected by the McCall Bill known as Chapter 764 of the Laws of 1933.

Rule 1. PLANS. A preliminary set of paper plans and cross sections, drawn clearly and distinctly, to a scale of $\frac{1}{4}$ -inch or, by permission of the Fire Commissioner, $\frac{1}{8}$ -inch to the foot, for each proposed standpipe (fire line) installation or alteration, shall be submitted to and approved by the Fire Commissioner before the work in connection with the installation is started. Such preliminary plans shall show the size and location of the standpipe (fire line) risers, size and location of siamese and cross-connections, valves, tanks and connections, pumps, hose stations, lengths of hose, etc., and the location of stairways and enclosing partitions in relation to the standpipe risers and hose stations. From these approved preliminary plans, three sets of plans on cloth, in clean and clear detail, shall be filed for final approval by the Fire Commissioner. A certified copy of approved plans shall be forwarded to the Bureau of Buildings by the Bureau of Fire Prevention. Such application and specification forms as may be prescribed by the Fire Commissioner shall accompany preliminary plans. If an automatic sprinkler system is provided throughout the building or in any portion of the building, the plans shall include a note to that effect.

Rule 2. APPROVAL. Before acceptance all standpipe (fire lines) shall be tested, for at least one hour, under a hydrostatic pressure of not less than 300 pounds per square inch at the street siamese, and at each pump supply level, or such additional pressures as may be required to give 100 pounds at the highest hose outlet supplied by such pump, except that when a change is made in a source of supply, or minor changes are made in an existing equipment previously approved, the system shall be tested to a pressure sufficient to give 50 lbs. per sq. in. at the highest story hose outlet. These tests to be made in the presence of a representative of the Fire Prevention Bureau.

No valves, risers, or other material portions of any standpipe (fire lines) equipment shall be covered or permanently concealed until tested and approved, in writing, by the Bureau of Fire Prevention.

When entirely completed in accordance with the approved plans, and as per test herein provided for, application shall be made to the Bureau of Fire Prevention for inspection of the completed installation. When the standpipe equipment is approved, the applicant will be so advised, in writing, by the Bureau of Fire Prevention.

When deemed necessary by the Fire Commissioner, sectional diagrams of the standpipe (fire line) equipment in buildings of large area or height, not more than three in number and printed on cloth in size not less than $8\frac{1}{2}$ x 11 in., shall be filed by the applicant for the use of fire companies in the district in which the premises are located.

Rule 3. STANDPIPE-FIRE LINE CERTIFICATE.

There shall be an engineer, superintendent or other person in charge of the standpipe-fire line system in all buildings exceeding eighty-five feet in height who shall be registered, and submit to an examination in the Fire Department. Upon evidence of fitness to properly operate and maintain the standpipe system he shall be granted a Certificate to that effect. The certificate shall contain the full name and a small photograph of the holder.

Day and night service shall be maintained in all buildings exceeding 250 feet in height in which there is a fire pump.

Theatre buildings provided with fire pumps shall have at least one certified operator on duty during every performance. Buildings of large areas, industrial plants, amuse-

ment parks, etc., shall have at least one certified operator on duty when deemed necessary by the fire commissioner.

Rule 4. MONTHLY INSPECTION. All valves, hose, tools and other auxiliary fire appliances shall be kept in perfect working order, and at least once a month the person holding certificate of fitness shall make a thorough inspection of all the fire appliances to see that they are in perfect working order and ready for immediate use by the Fire Department. Fire pumps shall be tested every 30 days by the person holding the certificate of fitness.

He shall also instruct all employees under his charge in the use and practice of all auxiliary fire appliances. A detailed record of each inspection shall be kept on the premises for examination by a representative of the Fire Department.

All standpipe equipment in buildings exceeding 85 feet in height shall be subjected, on order of the Fire Department but at least once every two years, to a pressure test of fifty pounds in excess of the pressure due to the water in the standpipe. This test to be applied to the standpipe and fittings in such manner as to prove their suitability for the use of the Fire Department; there shall also be such flow tests as to prove the standpipe, line valves, check valves and siamese connections are free from obstruction and are workable. These tests to be conducted by a representative of the owner of the premises, at the owner's risk, who shall notify the Fire Department at least forty-eight hours prior to the time of conducting the test.

Rule 5. APPROVED DEVICES. All devices approved for use in new standpipe fire line equipments shall bear the manufacturer's name and the date of and the number of the approval. Certified copies of the approval, working drawings and photographs of the device approved, shall be submitted to the administrative authority having jurisdiction for preservation as records and reference data.

Rule 6. ELEVATOR IN READINESS. In every building exceeding 150 feet in height at least one passenger elevator and in buildings in course of construction a hoist or elevator shall be kept in readiness for immediate use by the Fire Department during all hours of the night and day, including holidays and Sundays, and a man competent to operate the elevator shall be present at all times.

Rule 7. AREA OF BUILDINGS. For the application of Section 581 of Chapter 5 of the Code of Ordinances the area of a building shall be taken as the area within the exterior walls, or the area between fire walls.

When the fire walls are constructed in accordance with Section 371, Chapter 5 of the Code of Ordinances, and all openings are protected on both sides of fire wall or walls with automatic fireproof self-closing doors, the area within such fire walls or exterior walls and a fire wall, shall be considered a separate building.

Rule 8. HEIGHT. The term "height" as applied to a building or structure, as described in Chapter 5, Code of Ordinances, means the vertical distance measured in a straight line from the curb level, to the highest point of the roof beams in the case of flat roofs, and to the average height of gable in case of roofs having a pitch of more than 20 degrees with a horizontal plane.

Rule 9. STANDPIPE EQUIPMENT shall consist of a system of piping connected to one or more approved sources of water supply and provided with sufficient number of hose outlets and hose located as hereinafter set forth, to make possible the covering of every portion of each floor area with a standpipe hose stream, except that where the 1st story or basement or both are occupied as stores without connection or communication with the entrance hall or stair enclosure to upper stories, the Fire

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Commissioner may permit the omission of standpipe protection in such stores and if so omitted, may prescribe such portable protection as he may deem necessary. Cellars, sub-cellars, basements, etc., shall be protected in the same manner as the stories above.

Every standpipe (fire line) equipment shall be a Standard Wet System, except as hereinafter provided for:

(a) In any building not exceeding 40 feet in height, and 20,000 sq. ft. in area, a four-inch street supply system having one four (4) inch direct connection to a street main fed two ways or having one 4-in. direct connection to each of the two street mains on two street fronts, each main so fed that the shutting off of one main will not interfere with the supply of the other main, may be installed, provided there is a sufficient pressure in the street main or mains to maintain a minimum of twenty-five (25) pounds per square inch static pressure at the highest hose outlet.

Evidence establishing the fact that water main conditions and pressures are as required shall be submitted to the Fire Department.

Rule 10. CLASSIFICATION OF STANDPIPE-FIRE LINE EQUIPMENTS. For the purpose of these rules standpipe equipments shall be classified as:

(a) Standard Wet System in which the pipes are of sizes as specified in Section 581 of the Building Code, and in which the system is at all times filled with water from at least one standard source of supply.

(b) Four-inch street connection system, in which the pipes are of sizes as specified in Section 581 of the Building Code and the system is at all times filled with water from one or more 4-in. diameter direct connections to public water mains in the street.

(c) Automatic dry systems, in which the pipes are of sizes as specified in Section 581 of the Building Code, and are normally dry, the system being connected to a source of water supply controlled by an automatic dry pipe valve as defined elsewhere in these rules.

Rule 11. TANKS ABOVE ROOF. Construction shall be as per Section 428 of the Building Code and tank structure and supports shall be approved by the Superintendent of Buildings. The covers of all unenclosed standpipe tanks shall be conical in shape and protected with a type of roofing approved by the Superintendent of Buildings.

Rule 12. RESERVE FOR STANDPIPE. Gravity roof tanks, except as otherwise required by Rule 83, shall contain not less than 3,500 gallons of water at all times, reserved solely for standpipe fire line purposes.

When a gravity tank is to be used for both standpipe and house supply, the connection for the latter shall be made through the side of the tank above the level of the required standpipe reserve. This type of house and standpipe supply tank is preferred and recommended.

When two gravity tanks are used, one for standpipe fire line service and the other for the house supply, the house supply tank may be so arranged that it can only be filled by an overflow from the tank used for standpipe fire line purposes.

Rule 13. STANDPIPE AND SPRINKLER SUPPLIES. Standpipe and sprinkler supply shall not be taken from one tank unless there is available 5,000 gallons of water for the standpipe system which shall be in excess of the amount of water required for the sprinkler system. Standpipe supply shall be taken from the uppermost portion, and through the side of the tank, or through the bottom, provided that portion of the pipe within the tank is of brass or other non-corroding material.

Rule 14. BUILDINGS IN GROUP UNDER THE SAME OWNERSHIP AND OPERATION:

One gravity tank of at least 5,000 gallons water capacity to supply the largest unit of a group of separate and distinct buildings operating under one ownership, and located at such elevation that the bottom of the tank will be at least 20 feet above the roof of the highest building of

the group, will be accepted as an adequate tank supply for the entire stand-pipe equipment, provided a dead riser is carried down from the bottom of the tank to an underground header system having a Post Indicator control valve for each building unit, the P. I. valves to be located as the Fire Commissioner may direct.

Rule 15. UNDERGROUND PIPING. All underground piping shall be extra heavy cast iron installed in accordance with the standard specifications of the American Water Works Association: for 4-inch lines Class C requirements shall be used, 6-inch Class D, 8-inch Class E.

Rule 16. ADDITIONAL TANKS. When, in his opinion, the area covered is excessive or the occupancy is such that an unusual fire hazard is introduced, the Fire Commissioner may require additional protection in the nature of additional tank or tanks located remote from any other standpipe tank, or additional water supply in the main gravity tank, or a fire pump and suction tank of size and capacity to be determined by the Fire Commissioner or the Board of Standards and Appeals, or a combination of any of the foregoing supplies.

Rule 17. STANDARD SOURCE OF SUPPLY. Gravity tank located so that the bottom of same will be not less than 20 feet above the roof level and of a capacity as stated elsewhere in these rules and directly connected with the standpipe equipment by pipes of the same diameter as that of the largest riser.

Rule 18. TANK FEED. Tanks shall not be fed through the standpipe fire line, but shall be fed through a separate line at least 2 inches in diameter, discharging into the top of each tank above the overflow level through the side or through the bottom, that portion of the pipe within the tank to be of brass or bronze. An electric or steam pump of sufficient capacity to deliver at least 65 gallons of water per minute at the tank shall be provided, or if the pressure in the service line is sufficient and the plumbing is such that a minimum of 65 gallons of water per minute may be delivered to the tank, connection to the house water service main in the basement, cellar or lowest story may be used instead of pump.

The sprinkler and standpipe tanks may be fed from a common source of supply, either a pump or a direct service main connection, when a ball (float) valve is provided for each tank. Floats shall be of copper.

Rule 19. OVERFLOW. An overflow of diameter at least as large as that of the fill line shall be provided for each roof standpipe tank. The overflow line from all intermediate tanks shall be at least 6 inches in diameter. It may be run through the bottom of the tank, provided it is of brass or bronze and has no joint inside of the tank, otherwise it must be brought through the side of the tank, 3 inches below the top (of sides). Overflows shall terminate in a 90 degree elbow not more than 24 inches above the roof.

Rule 20. EMERGENCY DRAIN. There shall be provided for each tank an emergency drain not less than 4 inches in diameter connected directly to the bottom of the tank or to the standpipe supply line above the tank check and terminating not less than 30 inches nor more than 4 feet above the roof in a horizontal run. Emergency drain shall be provided with a 4-inch O. S. & Y. gate valve located in a readily accessible position not more than 4 feet above the roof.

Rule 21. ELEVATION OF TANK. The bottom of each gravity tank used for standpipe fire line supply shall be at least 20 feet above the level of the roof. When the area of a pent house exceeds 50% of the roof area or when it exceeds an area of 2,500 sq. ft., the bottom of the tank shall be required to be not less than 20 ft. above the level of the pent house roof. In existing standpipe equipment the bottom of the gravity standpipe tank shall not be required to be more than 20 feet above the outlet in the highest story.

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Rule 22. PYRAMID OR TOWER ROOFS. Where the roof of the building is designed so as to finish in a pyramid or tower form, the gravity tank shall be elevated as high as practicable, within the pyramid or tower. Provided, however, that in all cases, the gravity tank is not less than twenty (20) feet above the hose outlet in any room or space occupied other than for tank houses, elevator machinery or machine shop for repairing elevator machinery. Fire appliances, as may be required by the Fire Commissioner, shall be provided in such tank houses, elevator machines rooms, etc.

Rule 23. ACCESS TO TANK. Access to the top of each standpipe tank shall be provided by means of an iron gooseneck ladder of substantial construction and rigidly braced. Access to the tanks on theatre buildings shall be from the stage level to the roof by means of double-rung ladders set at an angle of not more than 70°, with intermediate landings every 12 ft. or less.

Rule 24. HIGH AND LOW WATER ALARM. Every gravity tank hereafter installed for standpipe fire line purposes shall be equipped with an electric closed circuit high and low alarm as provided under Rule 88, in order that it may be determined at any time whether or not the required standpipe reserve is in the tank, except when the house supply is taken from the tank, or where the house supply tank can only be filled from an overflow of the standpipe fire line reserve tank, a high and low alarm need not be provided when an automatic tank filling pump is installed.

Rule 25. CHECK VALVE. There shall be provided in a horizontal run of pipe in the top story stair enclosure or in a heated enclosure on the main roof, in the line connecting the standpipe tank with the standpipe riser, an approved type swing check valve opening downstream toward riser, except that where a siamese connection has been omitted, under these rules, no check valve shall be required. An O. S. & Y. gate valve shall be provided on each side of the check valve and shall be sealed open in an approved manner.

Rule 26. HEATING OF TANKS. All tanks used for standpipe supply purposes shall be heated by means of steam supplied through a brass coil with brass fittings and of a type and radiating surface as prescribed by the Board of Standards and Appeals. The heater shall be fed through a 1¼-inch steam line with a 1-inch return, separately trapped. The water in the tank shall be maintained at a temperature above 40° F.

Tanks in hotels, hospitals, institutes or similar buildings using the tank supply seven days a week supplying both standpipe and house service lines shall not require heating. If in an adequately heated enclosure, interior heating of tanks shall not be required.

Rule 27. LOWEST SUCTION TANKS. Tanks shall have at least 10,000 gallon effective water capacity as specified in Schedule A, reserved for the lowest fire pump use exclusively and shall be constructed of steel or reinforced concrete, located below the grade, or lowest story, if there is no cellar under the building. The Fire Commissioner may permit suction tanks to be located in a separate enclosure, or building provided they are accessible and when, in his judgment, such location will be more practicable. House supply tanks may be connected to the fire pump suction line, provided an O. S. & Y. gate valve, sealed closed, shall be provided on such house supply lines.

Rule 28. LOWEST TANK SUPPLY. The lowest suction tanks shall be fed by a connection at least 4 inches in diameter taken directly and independently from the public street main. The supply shall be not less than 750 gallons a minute, and shall enter the suction tank above the top or through the side near the top of the tank and shall be controlled by suitable bronze ball cock and copper float.

Rule 29. SUPPORT FOR TANKS. Tanks of more than 500 gallons capacity hereafter placed in or on any

building shall be supported on masonry, reinforced concrete or steel construction of sufficient strength and carried to a proper foundation as provided for in section 428, Chapter 5 of the Code of Ordinances.

Rule 30. INTERMEDIATE TANKS. The location of intermediate tanks hereafter installed shall be determined and directed by the Fire Commissioner and as prescribed in Schedule A. Each such tank shall have at least 5,000 gallons of water reserved exclusively for fire line and pump purposes. The bottom of each tank shall be at least 20 feet above the highest outlet supplied therefrom. The method of water supply to tanks, the overflow, the high and low water alarm, the emergency drain, etc., shall be as prescribed for tanks above the roof except that the overflow and emergency drain shall be connected to the drainage system of the building or discharge on intermediate levels.

The connection of the tank to the system shall be as hereinafter set forth:

Piping of the same diameter as the riser shall connect the tank with the riser of the portion of equipment supplied from that tank and in this connecting line in a horizontal run there shall be placed an approved swing check valve opening downward, and two O. S. & Y. gate valves, one at each side of the check valve. Each tank section shall be directly connected to the tank section above by means of piping of the same diameter as that of the largest riser and in a horizontal connecting line shall be provided an approved swing check valve opening upward, with an O. S. & Y. gate valve, at each side of the check valve, in order that water pumped into the siamese connection may enter the entire equipment of the building, and that each tank will supply only its portion of the system.

Rule 31. VALVES. All valves controlling standpipe water supply except valves at hose outlets shall be iron body brass mounted, or cast steel designed in accordance with specifications of the American Society of Mechanical Engineers, gate valves shall be of Outside Stem & Yoke type, and shall be located in an accessible position. All such emergency control valves 6 inch and larger shall be of the by-pass type, except that emergency control valves when required in standpipe (fire) line systems may be of approved hydraulically controlled type.

* Rule 32. PIPING, FITTINGS AND VALVES. Materials of Construction. All new piping for standpipe fire lines shall be of genuine full weight wrought iron or steel and properly tested by the manufacturer to withstand the required water working pressures. All pipes shall be lap-welded. Where working pressures are in excess of 150 lbs. to the square inch extra heavy cast iron body or cast steel valves, malleable iron or cast steel fittings constructed in accordance with the specifications of the American Society of Mechanical Engineers, able to withstand the required water working pressure shall be provided. The standard weight fittings and valves may be used where the pressure is not more than 150 lbs. per sq. in. Fittings in horizontal runs shall have long turns. All underground piping shall be of extra heavy cast iron as required by Rule 15.

The water working pressure on piping, valves and fittings shall be determined by the total head of water plus 50 pounds at the top floor hose outlet plus a factor of safety of at least 50 per cent. Specifications as to the construction and water working pressure of all piping, valves and fittings shall be marked on plans filed with fire commissioner.

Rule 33. CONSTRUCTION. Each standpipe fire line riser shall be supported at the bottom and at every other (alternate) story, and shall be properly braced. Horizontal lines shall be supported by standard heavy wrought or malleable iron hangers attached to or extending around and over floor beams at intervals of not more than 8 ft., and at more frequent intervals if deemed necessary by the Fire Commissioner and shall be securely braced to withstand vibration. Hangers may be supported by straps or bars extending over and around bars of at least 1 in. in

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diameter and 12 in. in length embedded in concrete floors parallel to and at least 2 in. from the undersurface or by approved malleable iron concrete inserts. The arrangement of lines must be straight and as direct as practicable. Off-sets will be permitted only when unavoidable or where necessary to install horizontal check valves. Except where flange fittings and pipes are permitted elsewhere in this rule, all joints shall be screwed joints made up thoroughly water tight with red lead, litharge and glycerine, or compressed graphite lead and boiled linseed oil, or any joint compound that shall be approved by the Board of Standards and Appeals.

In horizontal runs of piping of standpipe fire line systems, if larger than 4 in. in diameter, fittings and valves may be of the flange type, provided flange faces are machined true and smooth and do not show rings, sand holes or other imperfections. All joints shall be provided with proper copper gaskets.

All standpipe (fire line) equipments shall be installed in a workmanlike manner.

Rule 34. PROTECTION OF FIRE LINES. Standpipe lines when not located within a fire protected stair enclosure shall be protected against interior fire damage by means of at least one inch asbestos covering, or a covering of expanded metal lath and three-quarters inch Portland cement plaster or by a 2 in. terra cotta block encasement.

Rule 35. FROST PROTECTION. Standpipe lines shall be properly protected from freezing in the following manner:

One wrapping of tar paper equivalent to Asphalt Saturated Wool Felt paper weighing 12 lbs. per 100 sq. ft.

Three (3) layers of standard 1 in. high grade "long cows' hair" felt interposed and covered with one (1) layer of builders' paper equivalent to red rosin sized sheathing paper weighing 40 lbs. per 500 sq. ft.

One (1) covering of 8 oz. canvas, painted with two (2) coats of waterproof paint.

All wrappings to be independently applied and securely fastened in place with heavy jute twine. Circumferential and longitudinal joints to have at least a 2 in. lap staggered with adjacent layers and opposing leakage to the hair felt.

In groups of pipes each water pipe is to be wrapped separately with the tar paper, but subsequent layers of felt and paper may be applied collectively if space does not permit of individual wrapping.

Where a heating pipe is one of the group, the wrapping should be applied so that the hot line would serve all pipes in the enclosure. The initial wrapping of tar paper around each water pipe should be applied with laps down and the whole group wrapped with tar paper with laps up. If due to the position of the hot line sufficient air space would not insulate the hair felt, then protection to be effected by suitable separators, or a wrapping of asbestos paper instead of the tar paper around the group.

On vertical pipes particular provision to be made to prevent slipping and tearing of insulation due to its weight.

To prevent slipping away of insulation at point of entrance of pipes into a tank, and to shed leakage from slip joints, a 16 oz. duck to be provided, doubled and securely fastened to bottom of the tank overlapping inside and outside the insulation of the group for a distance of 18 in. below the tank. This duck to be well coated with paint. Loose hair felt to be packed about connection at tank bottom to safeguard against settling.

Rule 36. NUMBER OF RISERS. Each building fronting on more than one street shall have at least one riser for each street front. For the application of this rule a corner building shall not be considered as facing on more than one street when it is on but one corner. In all cases regardless of area or location there shall be a sufficient number of risers, so that any portion of each floor area may be covered by the stream from a standpipe hose not exceeding 100 ft. in length.

Rule 37. FIRE TOWER RISER. Each standpipe riser shall be located within a stair enclosure and one riser must be located in main stairway or fire tower.

Where impracticable to locate a riser within the stair enclosure, the Fire Commissioner may permit it to be located immediately adjacent to a stair enclosure, public corridor or other suitable place.

Rule 38. HOSE STREAM ALLOWANCE. Not more than 10 feet will be allowed for the throw of hose stream, except where the static pressure at the hose outlet is 15 lbs. or more, when 20 ft. will be allowed.

Rule 39. SIZE OF CROSS-CONNECTION. Where there are two or more risers in a standpipe (fire line) equipment, all risers shall be cross-connected by piping of a diameter at least equal to the diameter of the largest riser, but in no case shall the cross-connection be less than five inches.

Rule 40. FIRE PUMPS. Where Required:

(a) In every building hereafter erected exceeding 250 ft. in height, as described in Schedule A, an electric centrifugal fire pump shall be kept in readiness for immediate use of the Fire Department during all hours of the night and day, including Sundays and holidays.

Rule 41. ARRANGEMENT AND SUPPLY OF FIRE PUMPS. Fire pumps shall be connected to the standpipe systems and have a capacity of 750 gallons of water per minute at a pressure of from 50 to 80 lbs. at uppermost hose outlet, fed from such pumps. Fire pumps shall draw from steel or reinforced concrete suction tanks. For the purpose of testing fire pumps a 4 in. diameter branch shall be taken from the discharge line at the pump side of the check valve and run to the suction tank over the side or through the side above the overflow level. From this branch there shall be taken a 4 in. line with an approved type pressure relief valve, extending to the tank in a manner similar to that of the 4 in. test line. In the 4 in. test line between the 4 in. relief branch and the tank there shall be placed an O. S. & Y. gate valve, which shall be kept closed except during a test of the fire pump. In the line from the fire pump to the standpipe risers and beyond the test branch there shall be placed an approved type check valve in a horizontal position and also an O. S. & Y. gate valve, the latter to be open except when the fire pump is undergoing test. A pressure gauge shall be provided and connected to the discharge line of the pump.

The piping connecting discharge from fire pumps shall be of same diameter as the main riser.

Rule 42. NUMBER AND LOCATION OF FIRE PUMPS.

SCHEDULE A

Height from Uppermost Hose Outlet to Grade*	Total Number of Pumps Required	Approximate Location of Pumps			
		1st Pump	2nd Pump	3rd Pump	4th Pump
			Above level of First Pump	Above level of First Pump	Above level of First Pump
250' to 400'	1	Below grade level			
401' to 500'	2	Below grade level	200' to 250'		
501' to 600'	2	Below grade level	250' to 300'		
601' to 700'	3	Below grade level	200' to 250'	400' to 500'	
701' to 800'	3	Below grade level	250' to 300'	500' to 600'	
801' to 900'	4	Below grade level	200' to 250'	400' to 500'	600' to 750'
901' to 1000'	4	Below grade level	250'	500'	750'

* The uppermost hose outlet shall not include pent house outlet.

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Rule 43. FIRE PUMPS IN BUILDINGS EXCEEDING 1,000 FEET. All buildings exceeding 1,000 feet from grade level to uppermost hose outlet shall be provided with a fire pump for every 250 feet of elevation above the centre line of the lowest pump.

Rule 44. TANK CAPACITIES. Suction tanks supplying the first or lowest pump shall contain not less than 10,000 gallons reserved for fire pump. Intermediate tanks and uppermost supply tanks for buildings between 250 and 400 ft. as described in above schedule shall contain not less than 5,000 gallons reserved for fire pump. Uppermost supply tanks on all other buildings shall contain not less than 3,500 gallons reserve for standpipe fire line. Suction tanks shall be of the open type.

Rule 45. TANK STRAINERS. All supply tanks shall be provided with bronze strainers at pump and riser intake lines.

Rule 46. CENTRIFUGAL FIRE PUMPS. Fire pumps installed under these rules shall have a capacity of 750 G. P. M. and shall be of the multi-stage motor driven Centrifugal type designed, constructed and installed to render the highest possible efficient and reliable fire service.

The pump shall be located in a room of fireproof construction, properly ventilated, lighted and drained, enclosed in eight (8) inch brick or concrete walls with approved fire doors at openings and with fireproof floor and ceiling construction. If located in the lowest story of the building, the pump shall be placed on a foundation not less than one (1) foot in height. The pump room shall be readily accessible with safe egress for the attendant.

The pumping equipment shall be adaptable for heavy duty service having all parts of ample strength with liberal water passage and all working parts exposed to corrosion of phosphor bronze.

The pumps shall be fitted with fire fittings consisting of capacity name plate, pressure gauges, relief valves, hose manifold and three (3) approved 2½ in. hose valves with Standard Fire Department male threads. Fire pumps shall take suction supply under a head of water and in no case shall there be less than six (6) feet between water level in tank and centre line of pump.

The pump specifications shall be within the uniform requirements of "The National Standard" as adopted by the following associations:

Associated Factory Mutual Companies,
National Board of Fire Underwriters,
or as approved by the Board of Standards and Appeals.

Fire pumps to be designed to operate at not less than five (5) pre-determined speeds to give five (5) pre-determined pressures which will insure a maximum pressure of 80 lbs. and a minimum pressure of 50 lbs. throughout the building.

Fire pump equipment shall be so designed that it will operate normally at least five (5) speeds to provide a minimum of 50 lbs. pressure, and where more than one pump is required it shall be capable of pumping to the level of the next highest pump station in case of breakdown of intermediate pumping unit.

To provide for this standby service the fire pump shall run at nine (9) pre-determined speeds, namely, five (5) for continuous service and four (4) for standby service.

Rule 47. GENERAL SPECIFICATIONS. Pumping equipment shall be free from defects in design, workmanship and material and shall give proper and continuous operation under the conditions of service specified and shall be subject to approval of the Board of Standards and Appeals.

Materials entering into construction of this equipment shall be the best quality of their respective kinds and all parts shall be amply proportioned so as to be adaptable for heavy duty service.

CASING: Casing shall be of close grained cast iron and divided horizontally, and having suction and discharge connections in the lower half, so that the top casing can

be removed without breaking water connections. Casing shall have in addition to flange bolts, additional heavy bolts inside of flange to prevent leakage between stages. Casing shall be tested and guaranteed to withstand pressure 50% in excess of working pressure.

SHAFT: Shaft shall be made of best grade nickel steel and shall be ground all over to close limits and a high finish.

IMPELLERS: Impellers shall be of the enclosed type of best grade of phosphor bronze finished all over.

WEARING RINGS: Shall be of phosphor bronze and of renewable labyrinth or other equal type. Impeller wearing rings shall be securely attached to impeller, and casing ring shall be securely locked in the casing.

SHAFT SLEEVES: Shaft sleeves shall be of bronze and extend through stuffing boxes to protect the shaft from corrosion and wear from the packing.

BEARINGS: Bearing brackets shall be of the best grade of close grained cast iron and securely bolted to the lower half of the casing.

Bearing brackets shall contain cast iron bearings lined with high grade babbitt and shall be removable. Each bearing shall be equipped with two oil rings to insure proper lubrication.

COUPLING: Coupling shall be of best grade cast iron finished all over and keyed to shaft. The two halves shall be connected by coupling pins, transmitting power through rubber bushings, vulcanized on steel sleeves.

STUFFING BOXES: Stuffing boxes shall be of sufficient depth to prevent excessive leakage and shall contain water seal rings of bronze.

PACKING: Packing shall be held in place by bronze glands horizontally split and bolted together.

BED PLATE: Bed plate shall be of cast iron of heavy box type and provided with finished pads to which the pump is bolted and doweled. Foundation bolt rings shall be drilled for foundation bolts. Jack-screw pads to be cast with bed and jack-screws furnished to assist in aligning. Bed plate shall be provided with ample drip rims, drilled and tapped for piping connections on both ends.

PAINTING: Pumps shall be painted, filled, rubbed down to an even surface and finished with a drab steel-color machine paint, and the inside of the oil reservoirs in the bearing brackets to be painted white with a special oil-resisting paint.

Rule 48. SPECIFICATIONS FOR ELECTRICAL CONTROL AND OPERATION OF FIRE PUMPS.

TESTING: Pumps shall be tested at the plant of manufacturer to prove that they can fulfill requirements of specifications and guarantees made.

MOTOR: (a) Direct-current motors must be of the shunt or cumulative compound wound types. The speed of the motor at no load must not exceed the speed at full load by more than 10%.

Alternating current motors shall be of a slip ring type that will surely start and attain full speed under the current supply conditions where pump is to be installed. Approval of fire pump installations will be contingent on proper attention being given to the features mentioned herein.

(b) With a room temperature not exceeding 40 deg. C., motors shall be designed for a temperature rise not exceeding 40 deg. C. when carrying their rated full load continuously and shall also be able to run continuously with an overload of 15% without stress and without injurious rise in the temperature. Motors shall be able to withstand under the above room temperature an overload of 25% for 2 hours or a momentary overload of 50% without injury. No electrical or mechanical weakness should develop during these tests. The rise in temperature shall be measured

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in accordance with the Standardization Rules of the American Institute of Electrical Engineers.

Motors shall be of such capacity that at rated voltage 115% of its full load ampere rating will not be exceeded under any conditions of pump load.

(c) Motor and control apparatus must be protected from water coming from possible leakage, or breakage of any connection at the pump or other piping in its vicinity, including hose lines which may be connected to the pump.

(d) Motor windings shall be thoroughly impregnated with an insulating compound suitable for resisting moisture.

(e) Bearing shells and caps for motors shall be of the split type on at least the driving end, to permit removal and replacement without disturbing the motor or shaft after installment.

VARIABLE SPEED CONTROL OF MOTORS shall be provided except for fire pumps in theatres as required under Rule 86. Not less than five stages of speed variation will be permitted.

AUTOMATIC STARTERS will not be permitted except as provided for under Rule 86 (Theatres, etc.) of Standpipe Fire Line Rules.

CONTROLLING EQUIPMENT: The following specifications cover the construction and installation of controlling equipments of manually operated devices for the control of electric motors driving fire pumps.

In materials, details of construction, test and installation, except as modified or supplemented by these requirements, all parts of the equipment shall comply with Chapter 9 of the Code of Ordinances.

All equipments shall be specifically approved for fire pump controlling purposes.

DESIGN: (a) The design of all parts must be such as to secure simplicity, strength, durability and ease of operation.

(b) All parts must be mounted on one or more panels of slate, marble or other approved material, supported in a substantial manner on an iron frame, and the entire equipment must comply with the requirements for switchboards in Chapter 9 of the Code of Ordinances.

(c) All parts, such as bearings, cams and latches, the operation of which is liable to be interfered with by corrosion, must be made of phosphor bronze or similar metal, except where magnetic qualities are essential. Springs must be of phosphor bronze or similar metal, or protected against corrosion in an approved manner.

OPERATING MECHANISM: (a) The operation shall be such that the motor is directly started by a single lever, which shall be arranged to move in one direction from the initial to the final position.

(b) Electrical actuating devices will not be approved.

(c) Where direct current is used, an auxiliary field resistance shall be provided which can be used to increase the motor speed 10 per cent.

RESISTANCES: Starting resistances must be, unless inside of the motor, of the grid type, and comply with the requirements of starting duty rheostats as given in Chapter 9 of the Code of Ordinances.

OVERLOAD PROTECTION: (a) Each motor lead must be protected by a circuit-breaker. With direct current motors, leads must be protected by a single-pole circuit-breaker in each lead, or by an approved double coil, double pole circuit-breaker so designed that each pole must be closed independently of the other.

(b) Circuit-breakers to be calibrated to 400 per cent. of normal motor current.

(c) No fuses nor other overload release devices except circuit-breakers are permitted, except in instrument and pilot light leads.

WIRING: All wiring shall be installed in rigid iron conduit.

SWITCH: An approved knife switch for independent sources of supply must be provided, having one pole for each supply wire in circuit.

PILOT LAMP AND INSTRUMENTS: (a) A pilot lamp connected on the motor side of the circuit-breaker must be provided to indicate the presence of voltage on the line.

(b) A voltmeter and ammeter must be provided and suitably mounted and connected as a part of the control equipment.

MARKING: (a) A name plate must be provided giving the name of the manufacturer and the rating of the equipment in volts and amperes.

(b) All line and motor terminal connections must be suitably marked so that they can be readily identified.

CONTROL PANEL: The control panel shall be constructed of a high grade of electrical slate or marble or other approved material.

The supporting frame shall be so arranged that the bottom of the panel will not be less than 24 inches above the floor.

INSTALLATION OF APPARATUS: The control panel shall be located close to and within sight of the motor. If a pump room used for no other purpose and containing no other apparatus except the fire pump, its motor and its accessory appliances is provided, the controlling equipment shall be placed in this room.

The control panel shall be so protected that it will not be injured by water escaping from pump or connections.

Except where special permission is granted by the Fire Commissioner the controlling equipment shall be protected from mechanical injury by one of the following methods:

(a) Grille or lattice partitions so placed as to completely enclose the control panel and starter.

(b) The entire equipment of the panel and starter may be enclosed at the sides, front, back and top in a thoroughly substantial, ventilated sheet iron or steel cabinet of not less than No. 12 U. S. metal gauge in thickness with hinged doors with glass panel in front of pilot light. When panel is in a fireproof room and not subject to mechanical injury an enclosing cabinet shall not be required.

TEST OF EQUIPMENT: The entire equipment shall be subject to test and inspection by representatives of the Fire Commissioner.

POWER SUPPLY: Where the power supply can be obtained from two separate street feeders, two separate and distinct services shall be installed.

Where current is taken from an underground Edison three-wire system and the power lines are protected by approved conduit from a point where they enter the building to the control panel in the pump room, it will be considered an acceptable source of power supply.

Isolated Plant: Where the source of supply is an isolated plant located in the building an auxiliary service of sufficient capacity shall be obtained from some outside source.

Transmission Lines: (a) The lines between the power plants and the pump room must be of such number, so arranged and so located that there will be small chance of an interruption of service to the motor, due to accident to the lines. All wiring in the pump room must be in approved conduit.

Where the valves involved are large and the crippling of this pump service would seriously affect the protection of the property, at least two separate lines from the power plant or plants to the pump installation shall be provided. The lines must be run by separate routes or in such manner that a failure of both at the same time will be only a remote possibility.

(b) Each line between the power plant and pump room shall be of such size that its safe carrying capacity as given in Chapter 9 of the Code of Ordinances will not be exceeded by the load carried.

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Where direct current motors are used, the voltage at the motors must not drop more than 5 per cent. below the voltage rating of the motors when the pumps are being driven at rated output, pressure and speed, and the lines between motors and power stations are carrying their peak loads.

When alternating current motors are used, the voltage at the motors under these same conditions must not drop more than 8 per cent. below the voltage rating of the motors.

(c) The overload protective devices at the power plants, and where provided at various points on the lines, must be of such rating and so set that they will open the circuit only under short circuit conditions.

Approved fuses may be used, if desired, except for the protection of the pump motor where circuit breakers are required. The fuses, however, must be of such size that an overload or short circuit at the motor or its control apparatus will not cause them to open the circuit, but instead, the circuit breaker protecting the motor.

TRANSFORMERS: Where it is necessary to install transformers they shall be installed in accordance with Chapter 9 of the Code of Ordinances.

Rule 49. SIGNALLING DEVICES. All buildings where variable speed control of fire pump motors is required shall be equipped with an approved coded closed circuit signalling system. The signalling stations shall be located one on each floor at main riser. This system shall be so arranged that a coded signal can be transmitted to the pump rooms. An eight-inch gong shall be provided in all pump rooms and at such other locations as the Fire Commissioner may direct. All apparatus used in connection with the signalling system shall be of an approved type and installed as outlined in rules governing the installation of interior fire alarm systems.

At alternate signal sending stations there shall be provided an approved closed circuit strap key enclosed in a sheet metal box equipped with a paracentric Fire Department lock and approved hinges.

The strap key shall be connected in series with the box circuit of the signal sending station.

A card of instructions shall be placed in the pump room giving code numbers of signalling stations, the pressures obtainable at different speeds of the motor and such other information the Fire Commissioner may direct.

Rule 50. RELAY STANDPIPE SYSTEM. All buildings hereafter erected exceeding 400 ft. from grade to highest hose outlet shall be provided with an intermediate combination gravity and suction standpipe supply tank and a fire pump as required under Schedule A.

Each tank shall have at least 5,000 gallons of water reserved for the fire lines and shall be connected to fire line system as described in Rule 30 for intermediate tanks except that in addition to the requirements of Rule 30, there shall be provided a long turn by-pass 8 inches in diameter around the tank check valve and the O. S. & Y. gate valves. An 8-inch O. S. & Y. gate valve SEALED CLOSED shall be provided in the by-pass line.

Each tank shall be provided with overflow and emergency drain lines as required in Rules 19 and 20, except that such lines shall drain to roofs of set backs on building, or into house drain lines providing the house drain line or lines are equal in sum total to the sum total in diameter of the drain lines.

The fire pump shall have a capacity of not less than 750 gallons of water per minute and shall deliver through the standpipe main feed riser at a pressure not less than 50 lbs. to the square inch at the highest hose outlet fed by said pump.

All fire pumps shall be located on a raised base at least 24 inches above the floor and on the floor below the supply tank, with the suction line as direct as practicable.

The pump discharge line shall be connected to the main feed riser feeding up, and outside the horizontal tank check valve line, and the upward swinging check valve in the main riser. An O. S. & Y. gate valve shall be provided at

a point between the pump discharge connection and the upward swinging check valve SEALED OPEN.

The fire pump and motor shall be located in a water-tight room as close to fire tower as practicable, properly drained by a 3-inch line to house drain or scuppers in exterior wall. The electric switch controlling the motor shall be marked on panel "FIRE PUMP SWITCH" in 1 inch white letters on a red background.

Rule 51. NUMBERING ON VALVES. All gate valves on tanks, fire lines and pumps shall be numbered by 3-inch red metal disc with white numbers 2 inches high secured to wheel of valves.

Rule 52. PUMP ROOM DIAGRAM. A white and black print drawn to a scale of one-quarter inch to the foot shall be provided in a glass frame showing the tank, fire pump, all pipe lines and valves. The number of each valve shall be shown in addition to purpose of each water line.

The print shall include instructions as to method of starting and operating pump, closing main line, gate valve and opening by-pass valve.

Rule 53. FIRE LINE TELEPHONE. In all buildings where a variable speed control of fire pump motors is required there shall be provided a multiple telephone system with a master telephone in each pump room, and in the main lobby and individual telephones located on alternate floors near the main fire line riser.

The operation of the system shall be such that any individual telephone may call and converse directly with any master telephone. The master telephones may call and converse directly with each master telephone.

A six-inch vibrating call bell shall be located at the master telephones.

The master telephones in pump room below grade level shall be equipped with a loud speaking receiver so that the voice can be clearly and audibly heard at a distance of not less than fifteen feet from the receiver.

WIRING: The wiring for the telephone system shall not be smaller than No. 18 rubber covered wire installed in rigid iron conduit. The conduit system shall contain no conductors other than fire line telephone conductors.

The fire line telephone system shall be properly maintained and ready for use by the Fire Department at all times.

Rule 54. MAIN LINE EMERGENCY CONTROL VALVES IN BUILDINGS OVER 400 FEET IN HEIGHT (per Schedule A). At the base of the main feed riser or below the hose outlet valves on the first story; at each pump room elevation, and at each approximate one-third the height above the fire pump elevations and the pump or roof tank next above, there shall be provided O. S. & Y. emergency control valves in the main feed riser properly numbered and shown on the fire pump blue print heretofore described.

Rule 55. EMERGENCY TOOL BOX. Where fire pumps are required under these rules there shall be provided in each pump room an emergency fire department tool box, painted a fire department red, with 3-inch white letters reading, "Emergency fire line tool box." The box shall be secured to the wall and be fitted with a fire department lock and contain the following:

- 1—3-foot Stillson wrench.
- 4—2½-inch plugs with pipe threads.
- 4—2½-inch caps with hose threads.
- 2—Spanner wrenches of Fire Department pattern.
- 4—2½-inch double female hose connections, with Fire Department threads.

Rule 56. EMERGENCY AND TESTING HOSE. Where fire pumps are required under these rules there shall be provided in each pump room not less than two 50-foot lengths of rubber lined 2½-inch hose, of Fire Department quality, and one 1½-inch nozzle of controlling

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type. All couplings to be of Fire Department pattern and threads. Hose shall be supported by hooks secured to enclosure walls of pump room.

Rule 57. LOCATION OF LOWER FIRE PUMP IN RELATION TO HORIZONTAL LINE CONTROL VALVES. In a single main riser system the fire pump discharge line to riser shall be as short as practicable.

In a two (2) main riser system the pump discharge line to cross connection shall be located between the two risers. An emergency gate valve of the O. S. & Y. type, sealed open, shall be provided in the cross-connection on each side of the discharge line connection.

In a three (3) main riser system the pump discharge line shall be connected to the cross-connection on each side of the central riser. Three (3) emergency gate valves as above shall be provided as follows: One (1) at the base of the central main riser and one (1) on each side of the discharge line connection on the riser side.

In a four (4) main riser system the pump discharge line to the cross-connection shall be centrally located so as to provide two risers on each side of pump connection. An emergency gate valve shall be provided in the cross-connection on each side of the discharge connection.

In a five (5) main riser system the pump discharge line shall be connected on each side of the third, or central riser, and shall be provided with gate valves located as described in a 3 riser system.

In a six (6) main riser system the pump discharge line shall be centrally located so as to provide three risers on each side of pump connection and shall be provided with gate valves located as described in a two and four riser system.

For the purpose of this rule a main riser is any vertical riser other than a branch riser with not more than three (3) hose outlets above the cross-connection.

Rule 58. EMERGENCY SAFEGUARDS. For the purpose of prolonging the use of the standpipe fire lines in case of failure or break, it is necessary to provide and properly locate emergency gate valves of the O. S. & Y. type as follows:

Rule 59. EMERGENCY VERTICAL LINE CONTROL VALVES. All standpipe fire line systems hereafter installed in buildings over four (4) stories or 50 ft. in height, and up to 400 ft., as described in Schedule B, shall be provided for as follows: In each riser an O. S. & Y. gate valve shall be provided below the first story hose outlet. If the interior stairway extends from hallway on first story to cellar the gate valve shall be located within the stairway enclosure below the first story level.

A two-way 2½-inch hose outlet tee with two 2½-inch approved valves, one of which may be capped, shall be provided in all main risers 6 ft. to 7 ft. above floor or stair landing level of first story with the O. S. & Y. control valve below the outlet tee.

SCHEDULE B

Height from Uppermost Hose Outlet to Grade	Total Number of Valves Required	Approximate Location of Valves Above Grade					
		1st Valve	2nd Valve	3rd Valve	4th Valve	5th Valve	6th Valve
150' to 200'	2 to 3	Below the 1st story outlet	75'	150'			
200' to 250'	2 to 3	"	75'	150'			
250' to 300'	3 to 4	"	75'	150'	225'		
300' to 400'	4 to 5	"	75'	150'	225'	300'	

Where a single main riser system or a main riser feed system is installed and the uppermost hose outlet exceeds 150 ft. above grade level there shall be provided in each riser O. S. & Y. gate valves, in addition to the gate valve below the first story hose outlet at approximately the level above grade hereafter specified.

Rule 60. UPPER CROSS-CONNECTION EMERGENCY CONTROL VALVES. When a two (2) main riser system is installed there shall be provided O. S. & Y. emergency gate valves between the risers in each cross-section, located within the stairway enclosure when practicable, or as near to the door to main stairway of fire tower as practicable, and where the uppermost hose outlet exceeds 150 ft. above grade, the risers shall be provided with O. S. & Y. gate valves as described in Schedule B.

Where a three (3) main riser system is installed there shall be provided O. S. & Y. gate valves between any two of the risers in each cross-connection and one in the central riser at each cross-connection.

Where a four (4) main riser system is installed there shall be provided O. S. & Y. gate valves in each cross-connection between the 2 central risers, so as to provide 2 risers on each side of control valves.

Where a five (5) main riser system is installed there shall be provided O. S. & Y. gate valves between the second and third central riser in each cross-connection and one in the central riser at each cross-connection as described in a 3 riser system.

Where a six (6) main riser system is installed there shall be provided O. S. & Y. gate valves centrally located in each cross-connection so as to provide 3 risers on each side of gate valve—as described in a two and four riser system.

Rule 61. LOWEST CROSS-CONNECTION CONTROL VALVES. When the building is provided with a fire pump as required by the Rules the gate valves required in the lowest cross-connection shall be located as described under location of Fire Pumps and Horizontal Line control valves.

Rule 62. FIRE TOWER RISER. Where the building is provided with an exterior enclosed fireproof stairway or fire tower the main riser shall be installed in such stairway and properly protected from freezing in accordance with these rules unless stairway is adequately heated.

Rule 63. VALVE SEALED OPEN. All O. S. & Y. gate valves shall be located in an accessible position and be sealed open in an approved manner.

Rule 64. LADDERS TO VALVES. Where the gate valve is more than 7 ft. above any floor or stair landing a single rung iron ladder with ½-inch rungs and not less than 10 inches between strings shall be provided at each gate valve properly secured at top and bottom.

Rule 65. VALVE SIGNS. Where the gate valves on the upper cross-connections are not located in the stair enclosure, a sign with red background and white letters not less than 3 inches high shall be painted on the face of the wall within the stairway enclosure on the story where the gate valve is located, which shall read as follows: "STANDPIPE CONTROL VALVE NO. 0 IN LOFT."

Where a standpipe riser is located in a fire tower a sign with red background and 3-inch letters as above shall be painted on the wall at fire tower exit door, which shall read: "STANDPIPE IN TOWER," except on that story on which the emergency control valve is located, there the sign shall read: "STANDPIPE CONTROL VALVE NO. 0 IN TOWER."

Rule 66. VALVES NUMBERED. All emergency control valves shall be numbered by means of a metal disc not less than 3 inches in diameter painted red with a white number not less than 2 inches high and shall be secured to wheel of valve by chain or metal clamp.

Rule 67. FIRE LINES PAINTED. All standpipe lines

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not located within a stairway enclosure or public corridor and including the siamese connection street riser wall collars and caps shall be painted a Fire Department red.

Rule 68. SIAMESE CONNECTIONS FOR FIRE DEPARTMENT USE. Each standpipe system shall be provided with one or more approved type 3 inch x 3 inch inlet siamese connections for use by the Fire Department as hereinafter set forth. When a building faces on but one street and has a frontage of less than 250 ft. and requires but one four (4) inch diameter standpipe riser one siamese connection shall be provided; where the street frontage exceeds 200 ft. in length and requires but two four (4) inch diameter standpipe risers two siamese connections shall be provided for each 200 ft. of street frontage or fraction thereof. Buildings exceeding 250 ft. in height shall have not less than two siamese steamer connections for each riser and buildings not more than 250 ft. in height shall have at least one siamese connection for each 6 inch riser. Buildings having frontages on more than one street shall have a siamese connection on each street front when the frontage is not continuous but in all cases where more than one siamese connection is required they shall be properly distributed, and not grouped, as the Fire Commissioner may direct.

Rule 69. SIAMESE HEADERS. Siamese headers shall be independent of each other and lead, as direct as practicable, to riser or cross-connection header. There shall be at least 2 siamese for every 8-inch riser and at least 1 siamese for every 4 or 6 inch riser. Where there are more than one riser, the siamese headers shall divide on each side of any emergency control valve in the cross-connection, and such headers shall be equal in sum total to the sum total of all risers on either side of the emergency control valves.

No siamese header shall be larger than 6 inches. Siamese risers, when extending through sidewalk, shall be of bronze or fitted with a brass sleeve, packed with a water-proof compound between sleeve and riser.

Rule 70. SIAMESE OMITTED. Any building, other than theatre with stage, not over 45 feet in height shall not be required to have a siamese connection except when each building is on a water-front or when it is one of a group of buildings and has a cross-connection to the standpipe equipment in one or more of the other buildings.

Rule 71. LOCATION. Each siamese connection placed on the street front of a building shall be located not less than 18 inches and not more than 36 inches above the sidewalk level and shall be set in a horizontal position and shall be readily accessible for Fire Department use. Each siamese shall have cast in the body on top or on wall plate, in letters at least 1 inch in length and not less than $\frac{1}{8}$ inch in depth, the word "STANDPIPE."

The piping connecting the siamese with the standpipe equipment proper shall be not less than 5 in. in diameter where there are two or more 4 in. risers and not less than 6 in. in diameter for risers of 6 and 8 in. diameter. When there is but one 4 in. riser, connection from siamese may be 4 in. in diameter.

Rule 72. SIAMESE CHECK AND DRIP. In each line between the siamese connection and the standpipe system there shall be placed an approved type swing check valve located where practicable within 10 feet from the building wall. Between the siamese and its check valve there shall be placed a $\frac{3}{4}$ -inch automatic ball drip of an approved type which will close under a pressure of not more than 7 lbs. per square inch.

Rule 73. SIAMESE CONNECTIONS FOR FIRE-BOAT USE, EXCEPT WHERE THE SOURCE OF SUPPLY IS FROM THE STREET MAIN DIRECT. Siamese connection on piers or warehouses, etc., intended for fireboat use exclusively shall be $3\frac{1}{2}$ in. x $3\frac{1}{2}$ in. at inlets with Fire Department female thread. Between siamese and the system proper there shall be an

approved type swing check valve, and between the check valve and the siamese either a $\frac{1}{2}$ -in. open drip without valve or cock, or a $\frac{3}{4}$ -in. automatic ball drip of approved type closing under a pressure of not more than 7 lbs. per sq. inch. Where systems have both fireboat and shore siamese the shore siamese shall have male connections and shall be without clappers, but shall have on each inlet a 3 in. gate valve with Fire Department male thread for hose connection. Check valve shall not be provided for the land end siamese.

Rule 74. HOSE OUTLETS. When practicable all hose outlets shall be placed within a stair enclosure. They shall be $2\frac{1}{2}$ in. in diameter, set not less than 5 ft. nor more than 6 ft. above the floor or landing as the case may be. Outlets and racks shall be located above the floor or landing and shall not be over a run of stairs or in a stair well. When impracticable to place hose outlets within the stair enclosure, the Fire Commissioner may permit them to be located immediately adjacent to a stair enclosure, in a conspicuous place, in which case there shall be painted upon the stair side of the wall of the stair enclosure a conspicuous sign in letters not less than 8 in. in height indicating the location of the outlet. Where there is a 4-in. riser system its termination above roof shall be a $2\frac{1}{2}$ -in. outlet hose valve properly capped.

Rule 75. MAIN ROOF OUTLETS. All 6 and 8-inch main riser systems which extend to intermediate or the highest roof level shall be provided with not less than three $2\frac{1}{2}$ -inch hose valve manifolds with male threads. Roof outlets shall be located not less than 24 in. nor more than 5 ft. above the roof and each valve shall be provided with regulation $2\frac{1}{2}$ -in. Fire Department caps. Where roof outlets cannot be located within a heated stair enclosure, the control valve shall be located below the roof and shall have a long stem extending above the roof with a wheel handle at the upper end. Between the long stem valve and the roof outlet there shall be a $\frac{1}{2}$ in. open drip extending to a sink or a $\frac{3}{4}$ in. automatic ball drip of approved type.

In buildings not exceeding 40 ft. in height hose outlets above roof shall not be required.

Rule 76. SPANNER WRENCH. A spanner wrench may be provided at each hose outlet valve, such wrench shall be of the gooseneck Fire Department pattern.

Rule 77. BRANCH LINE SIZE. No branch line may be less than 4 in. in diameter, except that any branch from a riser or cross-connection to but one hose outlet may be $2\frac{1}{2}$ in. if not over four (4) feet in length, and may be 3 in. in diameter if not more than twenty-five (25) feet in length.

Rule 78. NOZZLES. All $2\frac{1}{2}$ -in. fire hose shall be provided with approved smooth bore nozzles 15 in. in length, the outlet at the tip to be not less than 1 in. nor more than $1\frac{1}{8}$ in. in diameter.

Rule 79. HOSE. Each outlet other than the roof outlet shall have attached thereto $2\frac{1}{2}$ in. unlined linen hose, except that in buildings or premises that do not contain occupancies storing, handling or using inflammable motion picture films or nitro cellulose products, and which are not classified as hazardous, the Fire Commissioner may permit in addition to the $2\frac{1}{2}$ -inch outlet and hose the installation of $1\frac{1}{2}$ in. unlined linen hose and valve. There shall not be more than 100 ft. of hose at any outlet, as required by Section 581, Chapter 5, Code of Ordinances. No single length of hose shall be less than 50 ft.

All hose used in connection with the standpipe fire line system shall be at least equal in material and construction to the type of hose bearing the approval label of the National Board of Fire Underwriters.

Rule 80. COUPLINGS. Hose couplings for standpipe shall be equal to hose couplings of the regular Fire Department pattern and thread.

Rule 81. RACKS. All standpipe hose shall be sus-

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pended from racks of stamped steel, malleable iron or other metal equal thereto, of approved swing type, so designed and constructed that they will permit of ready and easy release of hose for use. The racks shall be supported securely and substantially from standpipe risers or wall, except that where a cast nipple of non-corroding material is screwed into the hose outlet valve the rack may be suspended from said nipple. The minimum thickness of nipple to be 5/16 in. In no case will automatic racks be permitted.

Racks shall be not more than 7 feet 6 inches above the floor.

Rule 82. HOSE CABINETS. Hose racks may be installed in cabinets, provided the cabinets are conspicuously located within a stair enclosure, and are of a size sufficient to accommodate the entire equipment and permit of easy handling of hose and operation of valve.

In theatres cabinets may be permitted outside of stair enclosures, provided they are conspicuous, and that during performances the cabinets are illuminated by means of an electric lamp placed inside. Each cabinet shall have a clear glass door (one panel only) without lock and shall have the words "FIRE HOSE" painted on the glass in letters not less than 2½ inches in height.

Rule 83. REGULATION AND REDUCTION OF PRESSURES. All buildings hereafter erected over 250 ft. in height and which do not exceed 400 ft. in height from the grade to highest hose outlet shall be provided with a roof gravity tank of not less than 5,000 gallons.

Where the above described height exceeds 400 feet, fire pump and suction tanks shall be provided as described under Schedule A.

Where the pressure on any hose outlet valve exceeds 50 lbs. either approved outlet pressure reducers, set as prescribed by the Chief of the Fire Department, or the Board of Standards and Appeals, shall be provided at such outlets.

Rule 84. BUILDINGS IN COURSE OF ERECTION. In buildings in course of erection standpipe fire lines shall be carried up with each story after the structure reaches the 7th story or a height of 85 ft., and there shall be provided an outside siamese pumper connection in a proper and accessible place. Regulation hose outlets on each story above the 2nd shall be provided as the work progresses. Hose outlets shall be provided with male threads of Fire Department pattern, with hose and nozzle attached, to at least every second outlet. The top and bottom of each riser and all cross connections shall be securely capped at all times during the progress of the work except when work on the standpipe fire line is in progress at that point. Temporary standpipe risers used in construction work and not less than 3 inches in diameter for buildings, not exceeding 400 ft. in height, and of larger diameter, in buildings exceeding 400 ft. in height, when maintained to supply water at all lines, may be accepted in lieu of the regulation standpipe, provided it is equipped with hose outlets, hose and siamese as required above.

Elevators or hoists shall be provided as required in Rule 6.

Rule 85. PLACES COVERING LARGE AREAS. Ship yards, oil storage plants, amusement or exhibition parks or other enclosures when deemed necessary by the Fire Commissioner shall have one yard hydrant and hose for each 20,000 sq. ft. of area, but in no case shall there be more than 250 ft. distance between hydrants. Hydrants and sufficient approved hose and a smooth bore 1½-inch Underwriters playpipe shall be placed in an approved hose house, painted red, with words "FIRE HOSE" in 6-inch white letters on door. Where the area exceeds 20,000 sq. ft. and not exceeding 40,000 sq. ft. in area, a gravity tank of at least 20,000 gallons capacity, elevated 50 ft. above the yard, or 25 ft. above the highest structure in the yard, or a fire pump of at least 1,000 gallons a minute capacity, with a suction tank of at least 25,000 gallons capacity, or river suction supply shall be provided. Plants exceeding 40,000 sq. ft. in area shall be provided with a fire pump of

not less than 1,000 gallons per minute capacity, suctioning from a tank or sump of at least 30,000 gallons capacity. The Fire Commissioner may permit suction from a river or well if in his opinion the required quantity of reasonably clean water may be obtained thereby, except that where river suction is proposed and standpipe primary water supply is taken from street main, approval of the proposition shall be obtained also from the Department of Water Supply, Gas and Electricity. In addition to yard hydrants, the Fire Commissioner may require one Monitor nozzle with remote control for each 40,000 sq. ft. of area or fraction thereof when in his opinion an unusual hazard exists or may exist. Monitor nozzles shall be located as ordered by the Fire Commissioner.

Standpipe risers may be connected to yard hydrant systems when such systems are provided with gravity tanks in accordance with this rule, or when same conforms with Rule 9, Subdivision A (city main connection).

Yard hydrant systems connected to city main shall be provided with Post Indicator valve located in an accessible position. The Post Indicator valve shall be sealed or locked open and be painted a Fire Department red.

Yard hydrant systems with more than one hydrant shall not be connected to City mains outside of the high pressure fire service area, unless approved by the Board of Standards and Appeals.

Provision for steamer connections, fireboat connections, pressure reliefs and general layout of plant standpipe systems shall be made by the Fire Commissioner as his judgment may dictate for each individual case.

Fire extinguishing equipments in addition to the foregoing shall be prescribed by the Fire Commissioner for all oil storage plants, oil refineries, fire work plants and other plants when deemed by the Fire Commissioner as presenting unusual fire hazards.

Rule 86. THEATRES, ETC. In every theatre or opera house or other building used for theatrical or operatic purposes or amusement purposes as per Section 520, Chapter 5, of the Code of Ordinances, the standpipe fire line equipments in addition to the tank shall also be supplied by approved electric pump or pumps having a capacity of at least 250 gals. per minute at 100 lbs. per square inch in buildings without occupancy above the roof and at 125 lbs. per square inch pressure in buildings having any occupancy above the auditorium roof. Power for pumps shall be supplied by electric motors of sufficient horsepower to drive pump without sign of overload. Pumps shall be bypassed to suction tanks, as provided for elsewhere in these rules under FIRE PUMPS. Pumps shall suction from steel or reinforced concrete tanks of not less than 5,000 gallons water capacity. Pumps shall deliver initial supply of water and shall be connected to an approved electric device which, upon a reduction of pressure below the allowable minimum, will automatically start the pump and, upon a restoration of the required pressure, will automatically shut off the pump. The automatic starting device shall be set to cut in at 60 lbs. pressure and to cut out at 80 lbs. pressure. In addition to the automatic starting device there shall be provided a hand starter for emergency use and there shall also be provided a pressure gauge on the panel board.

Rule 87. STREET MAIN CONNECTIONS. Subject to the requirements of the Department of Water Supply, Gas and Electricity, the size of each standpipe connection to a street main shall be not less than 4 in. in diameter and shall have a conveniently accessible control valve in the line at or near the curb or when practicable in a more remote location. The control valve shall be fitted with a frost and waterproof box not less than 4 ft. nor more than 6 ft. below the curb with a fixed stem extending to a compartment at the level of the sidewalk. The cover shall be bolted to the casing, and shall be so marked as to be quickly located and to indicate the purpose of the valve. The valve shall be of an indicating pattern, operating by a special socket wrench approved by the Department of Water Supply, Gas and Electricity. The water meters

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used in standpipe fire line supplies shall be of approved type allowing free flow of water. Supply through the meter shall be checked against the Fire Department Siamese Supply and against tank supply.

Where, due to the presence of a vault under the sidewalk and extending to within 18 in. of the curb, it is impracticable to install a control valve box at the curb, there shall be placed in the feed line from the main a control valve located not more than two feet from the point of entry.

Rule 88. HIGH AND LOW WATER ELECTRIC ALARMS. The high and low water electric alarm for gravity tanks shall be so constructed and arranged that a decrease in the quantity of water below the required fire line reserve shall cause an alarm to be given in either the pump room or engineer's room. An annunciator shall be provided in connection with the alarm system. The high and low tell tale electric devices for gravity tanks shall be so constructed that they will not be affected by moisture and the parts shall be heavy and rugged. The level of the water in the gravity tank shall be indicated by an approved device.

The audible signalling device for high and low water electric alarm shall consist of vibrating gong of at least 6 inches diameter of the enclosed type and arranged for conduit installation, the same to be operated automatically. The control cabinet shall be arranged for conduit installation and shall be located in the engineer's room or pump room where it will be under supervision of the person in charge of the standpipe supply.

All wiring shall be installed in rigid conduits and the installation shall be in accordance with the provisions of Chapter 9 of the Code of Ordinances. Control panels must be approved by the Board of Standards and Appeals.

The following sources of energy may be employed and are given in their order of preference:

1. Public utility electric light and power systems.
2. Independent electric generating plants.
3. Storage batteries in duplicate.
4. Primary batteries of closed circuit type.

When the system is connected to a 110 volt lighting service a suitable cut-out is to be provided and it shall be enclosed in a locked or sealed metal cabinet. The connection to system shall be the first connection on the house side of and as near as practicable to the meter. When batteries are used to operate the system they shall be placed in an approved cabinet provided with a lock and key.

Rule 89. DRY PIPE VALVE. A dry pipe valve shall be taken to mean a valve automatically controlling the water supply of the standpipe system in such a manner that under normal conditions its piping system will be maintained dry, but in the event of a hose valve being opened, the dry pipe valve automatically releases the water into the standpipe system.

In refrigerating plants or in unheated buildings, piers or warehouses where wet lines are impracticable, dry pipe valves may be installed.

Type A, in which the valve is actuated by the release of compressed air in the standpipe system due to the opening of a hose valve; and Type B, in which the valve is actuated by an approved trip under electrical control of an approved non-coded or coded closed circuit system operated from the control station at each hose outlet. Dry pipe valve shall be located as near as practicable to the standpipe system, in an enclosed place, protected from mechanical injury and freezing.

When Type A valve is installed the air pressure in the standpipe system under such dry pipe valve control shall not exceed 40 lbs. per sq. in. nor be permitted to fall below 25 lbs. per sq. in. nor shall it be less than one-sixth of the water pressure in any case. Not more than 16 hose outlets shall be supplied through one dry pipe valve. The air compressor shall have a capacity of not less than 11 cu. ft. per minute, and the air supply for the pump shall be taken, if possible from a room containing dry air, or it shall pass

through a drying chamber containing calcium chloride in order to avoid the introduction of moisture into the system.

A closed circuit alarm shall be provided in connection with each dry pipe valve installation; the electrical layout shall be approved by the Fire Commissioner.

Rule 90. MONITOR NOZZLE. Monitor nozzles shall be so constructed and designed that they may be moved in both vertical and horizontal arcs, and shall be so located that streams may be brought to bear on all portions of the plant or building within the effective radius of stream play and such other exposing properties as may be within this radius. They shall be supplied from connections to the standpipe system not less than 4 in. in diameter with remote control.

Rule 90a. ROOF SETBACK HOSE OUTLETS. A two-way hose outlet tee, with one outlet properly capped, shall be provided in the standpipe risers on floor level of any intermediate roof setbacks on all buildings exceeding one hundred feet in height when the following conditions exist:

1. When the building has a frontage of fifty feet or over.
2. And there are adjoining roofs, window openings or other exterior exposures within fifty feet of the roof parapet.
3. And the depth of the setback exceeds ten feet.
4. And the setback exceeds one hundred feet above grade level.

Rule 91. EXISTING STANDPIPES. Standpipe fire line equipments which were approved by the Fire Commissioner as conforming to the rules and regulations then being enforced, shall not be required to be altered to conform to the provisions of these rules, except where substantial additions or extension in height or area is made to the building, when these rules shall apply if deemed advisable or necessary by the Fire Commissioner, and except that all such fire line systems shall have or be provided with the following:

1. Roof gravity tank shall have a reserve of approximately 3,500 gallons of water for fire line.
2. The bottom of the gravity tank shall be not less than 20 feet above the hose outlet in the highest story.
3. A 4-inch emergency drain with gate valve.
4. House lines taken from outside of tank.
5. Tank properly heated and provided with overflow line.
6. Tank shall not be fed through fire line.
7. Tank to be fed at not less than 65 gallons a minute by pump or direct city connection.
8. An iron ladder of substantial construction, properly braced, extending to top of tank.
9. At least one gate valve at the downstream side of tank check unless a gate valve has been installed on either side of check.
10. Hose valves and hose not less than 2½ inches in good serviceable condition. No automatic hose valves permitted.
11. Wheel of hose valve within 6 ft. 6 in. of stair landing or of steps within 2 ft.
12. An open or automatic ball drip between the siamese check and siamese.
13. Approved 3 in. x 3 in. siamese, with approved caps.
14. The words "STANDPIPE" cast in the body of the valve, or on metal plates secured to siamese riser, or secured to face of building behind the siamese.
15. The siamese street riser, wall collars and caps painted a Fire Department red.

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16. Outlet pressure reducers on all hose outlet valves where the pressure exceeds 50 lbs. per square inch.

17. In factory or other buildings of hazardous use, where the fire lines are not within a protected stair enclosure and may be subjected to fire exposure because of such location, they shall be protected by asbestos covering, wire lath and cement, or terra cotta blocks as described in these rules.

18. Fire lines shall be protected from freezing as specified in these rules.

19. The tank shall be provided with a high and low water electric alarm, except where there is an automatic filling pump installed.

20. The bonnets or caps of all siamese or tank check valves which have been in the fire lines for at least ten years, where practicable, shall be removed and the interior of valve cleaned of all rust or other accumulations. The body of the valve shall then be given a good coat of red lead and linseed oil.

Rule 92. HOSE OUTLET VALVE. Hose outlet valves shall be 2½ in.

A—All hose outlet valves hereafter installed in buildings not exceeding 300 feet in height, or for the uppermost 300 feet in any building, shall conform to the following specifications:

1. Valves shall have a clear waterway of at least 5 sq. in. in area.

2. They shall show not more than 5 lbs. friction loss for a flow of 300 gallons per minute.

3. They shall close tightly against 300 lbs. hydraulic pressure under normal working conditions.

4. They shall stand a hydrostatic pressure test of 750 lbs. per sq. in. for 30 minutes and not distort.

5. They shall stand the operation of full opening and closing 300 times under 150 lbs. pressure without leaking at stuffing box or seat.

6. They shall not be of cast or malleable iron.

7. Only angle globe valves shall be permitted.

B—Hose outlet valves hereafter installed in buildings exceeding 300 feet in height, except as provided for in Subdivision A, shall show not more than 5 lbs. friction loss for a flow of 300 gallons per minute; they shall close tightly against 500 lbs. hydraulic pressure under normal working conditions; they shall stand a hydrostatic test of 1,250 lbs. per square inch for 30 minutes and not distort; they shall stand the operation of full opening and closing 300 times under 250 lbs. hydraulic pressure without leaking at stuffing box or seat. They shall be of brass or best grade of valve bronze.

Straight-way gate valves may be submitted for test.

All hose outlet valves hereafter installed shall have cast in the body of the valve:

1. The manufacturer's name or trade-mark.

2. The working pressure of the valve.

3. The approval number of the Board of Standards and Appeals.

Not less than 2 approved hose valves shall be delivered to the office of the Board of Standards and Appeals, the weight and other general matter noted, and valves certified. One of the valves shall then be delivered to the office of the Fire Commissioner, with certified specifications.

Rule 93. SPECIFICATIONS. Siamese Connections.

Fire Department siamese connection shall be as herein-after stated in this rule.

1. The body of the siamese may be of cast iron, cast steel, brass or any other suitable metals of sufficient strength to comply with Item 8 of this specification. All movable parts, clappers, swivels and all bolts, washers, nuts, screws and pin bearings and all swivel bearings shall be of non-corrodible metal.

2. Clapper valve seats shall be made of non-corrodible

metal and shall be machined to insure a tight seat for clapper valves.

3. Each inlet to siamese shall be provided with a clapper valve machined to a true face. Single clapper siamese connections shall not be permitted.

4. The inside diameter of valve seats shall not be less than the inside diameter of the hose couplings. The area of the waterway beyond the valve seats shall not be less than the combined areas of the waterways through the two valve seats. The area of the waterway of each inlet shall not be reduced by the clapper when in a position of maximum opening.

5. Clappers shall be so hung that when siamese connection is placed in a horizontal position the clappers will be seated.

6. Swivels, attached to the body of the siamese by means of a collar expanded cold or screwed into the body of the siamese, or with other bearing surface extending entirely around the opening and exerting uniform shear, will be approved if giving a strength sufficient to meet Item 8.

7. Clapper valves must be of such design and area that a pressure of 100 lbs. per sq. in. on the standpipe side will not prevent their opening when the pressure on the steamer side is 150 lbs. They must be so hung that with a discontinuance of flow into the siamese through that inlet the valve will close, and that it will not close where there is an inward flow and the pressure on the inlet is 5 lbs. or more greater than the standpipe pressure.

8. Siamese connections must stand a hydraulic pressure test of 500 lbs. for 30 minutes under normal working conditions.

9. Clapper valves shall be tight for any pressure on standpipe side up to 300 lbs.

10. Approved caps or plugs must be provided to protect the threads of the inlets.

11. The inlet swivels to siamese connection shall be provided with threads to fit the Fire Department hose.

12. The word "STANDPIPE" shall be cast into the top of the body of the siamese or on wall plate, in 1 in. letters not less than ⅛ of an inch in depth.

13. Where there is a fire boat siamese connection in the same system with a land end siamese connection, clapper valves shall be omitted from the land end siamese.

Rule 93a.

Specifications and Performance Requirements for Adjustable Pressure Reducers for Use At 2½-Inch Hose Outlets of Standpipe Systems

These valves are for use at outlets for 2½-inch hose on standpipe systems to permit securing adjustment of the water pressure in hose and at nozzles as is required in the Standpipe Rules of the Board.

1. The body and working parts of the valve shall be of brass or bronze of a quality and thickness satisfying the hydrostatic pressure test requirement given below and corrosion-resisting. A bronze of not less than 83 per cent copper and 5 per cent tin and of not more than 7 per cent zinc and not more than 3 per cent lead will be judged to furnish acceptable corrosion resistance.

2. Threaded parts for connection to hose couplings shall conform to the New York Fire Department thread for 2½-inch fire hose.

3. The design shall provide that the friction loss shall not exceed 10 lbs. when the valve is in the full open position and is discharging not less than 200 gallons per minute.

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4. It shall be possible to operate the adjustable means through its full range by means of a regulation Fire Department goose-neck spanner wrench or manually when subject to an upstream hydraulic pressure of 500 lbs. per square inch.

5. The valve shall withstand without fracture or excessive leakage the application for 30 minutes of an internal hydrostatic pressure of at least 1,250 lbs. per square inch.

6. It shall be possible to secure all movable exterior parts of the valve which affect the pressure adjustment so that the adjustment will be not altered accidentally or by tampering without giving evidence of the alteration. It shall be possible to readily accomplish any desired adjustment within the range specified below by the use of a regulation Fire Department spanner wrench.

7. The adjustable means shall provide that the waterway within the body of the valve shall be not less than 2.5 square inches in area when in full-open position and at least 0.5 square inch when in the fully reduced position. Between these positions there shall be not less than 13 positions of the pressure adjusting means at each of which a positive pressure reduction shall be obtained. Each such position shall be indicated by suitable markings or equivalent means.

8. When necessary, straightening vanes or baffle plates of brass or bronze, at least No. 14 B&S gauge in thickness

shall be placed in the down-stream or discharge part of the valve to regulate jet effect of water and protect hose.

9. The valve shall be marked so that it may be identified after installation to show a registered name or trademark, together with the Calendar Number assigned to it by the Board of Standards and Appeals and the registered symbol of endorsed approval by testing agency. These markings shall be in letters and figures at least $\frac{1}{4}$ inch high.

10. The valve shall be so marked as to clearly indicate when it is installed the upstream pressure producing 50 lbs. pressure at its discharge according to adjustment at which it is set as specified in paragraph 6 of these Rules. These markings shall be in letters and figures at least $\frac{1}{4}$ inch high.

Not less than two approved pressure reducing valves shall be delivered to the office of the Board of Standards and Appeals, the weight and other general matter noted, and valves certified. One of the valves shall then be delivered to the office of the Fire Commissioner, with certified specifications.

The Board of Standards and Appeals hereby serves notice that approvals granted hereunder are subject to amendments or limitations as and wherever in its opinion service conditions in building may require.

Saving Clause. All rules and regulations previously adopted and conflicting with these rules are hereby rescinded.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model		M. D. Rotary.....	52-27-SA
No. 1000	9-32-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Monroe Oil Pump.....	658-26-SA
Beach Russ Co. Rotary.....	1134-22-SA	Northern Rotary	1396-24-SA
Blackmer Rotary	935-24-SA	Pascoe Pump Set.....	1029-26-SA
Blake & Knowles Horizontal Simplex Piston		Petro-Nokol Industrial Oil Pump.....	570-32-SA
Pattern Pump	372-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Century Rotary	908-21-SA	Quimby Screw Pump.....	1193-21-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump.....	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump.....	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Tate-Jones	492-21-SA
Enterprise Oil Pump.....	11-28-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Exeter Rotary	507-22-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Hand Rotary.....	1133-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Viking	438-21-SA
Goulds Triplex Plunger.....	257-22-SA	Warren Oil Pump.....	1169-23-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Koerting Gear Pump.....	1264-25-SA	Worthington Duplex Double-Acting Steam	
Kraissl Fuel Oil Pump.....	60-28-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Forsdraft Oil Burner	41-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Foster Oil Burner.....	715-26-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Franklin Domestic Oil Burner.....	560-26-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Air-Blast Oil Burner.....	579-32-SA	Fuelo Oil Burner.....	47-30-SA
Alladin Oil Burner.....	298-26-SA	Gar Wood Oil Burner.....	373-30-SA
Alexander Oil Burner.....	65-28-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Alida Oil Burner.....	124-34-SA	General Electric Fuel Oil Burner.....	434-32-SA
Arcoil Heat Machine.....	632-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Auto-Heat Oil Burner.....	284-33-SA	Ghapco Steam Generator.....	348-31-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Gill Oil Burner.....	1231-23-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Berggren Oil Burner.....	764-26-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Grant Oil Burner	382-26-SA
Bettendorf Oil Burner.....	731-28-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Hardinge Oil Burner.....	813-25-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Hart Automatic Oil Burner.....	1162-24-SA
Branford Oil Burner.....	36-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Branford Oil Burner, Model "A".....	461-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner	696-30-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heatiator Oil Burner.....	1346-23-SA
Caloril Burner, Type AA.....	1361-24-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S.....	229-32-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hercules Oil Burner.....	510-29-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Carborundum Burner	571-29-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
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Carter-Korth Oil Burner	54-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Carter Oil Burner, Models 4X and 5X.....	117-34-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Century Oil Burner.....	157-28-SA	Improved Kres-Kno Oil Burner.....	591-29-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Inferno Oil Burner.....	82-33-SA
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Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	International Oil Burner.....	1305-24-SA
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Crown Oil Burner, Type XA.....	426-29-SA	Kelvinator Oil Burner.....	339-31-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
D'Elia Oil Burner.....	155-31-SA	Kleen Heet Oil Burner.....	62-24-SA
Delco Heat Oil Burner.....	420-31-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
DeWalt Oil Burner.....	541-31-SA	Kreager Oil Burner.....	367-30-SA
Dist-o-matic Oil Burner.....	663-28-SA	Kres-Kno Oil Burner.....	443-28-SA
Doe Oil Burner.....	317-31-SA	Laco Oil Burner, Model NL.....	670-30-SA
Doherty Oil Burner.....	943-26-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Lange Economical Oil Burner.....	355-33-SA
Eisler Automatic Oil Burner.....	481-27-SA	Lawrence May Oil Burner.....	1034-27-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Leader Oil Burner.....	425-31-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Ember-Glo Oil Burner.....	462-32-SA	Liberty Automatic Heater.....	129-28-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Lynn Power Oil Burner, Models 1, 2 and 3...	166-34-SA
Espo Oil Gas Burner.....	1431-23-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA
Evenheet Oil Burner.....	554-32-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Everedy Oil Burner.....	102-33-SA	Magna Fuel Oil Burner.....	197-33-SA
Fairfield Oil Burner.....	584-31-SA	Majestic Oil Burner.....	693-30-SA
Faultless Oil Burner.....	493-24-SA	Marr Oil Heat Machine.....	765-26-SA
Florence Oil Heater, Model KC-9.....	62-33-SA	Master Fuel Oil Burner.....	350-32-SA
Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA		
Fluid Heat Oil Burner.....	361-32-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Master-Kraft Oil Burner.....	83-33-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
May Oil Burner.....	68-24-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
May Oil Burner, Type BB.....	46-34-SA	Schulze Home Oil Burner.....	1487-23-SA
Mayfield Oil Burner.....	568-31-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Mayflower Oil Burner.....	124-29-SA	Security Oil Burner.....	56-28-SA
McIlvane Oil Burner.....	544-29-SA	Shepard Oil Burner.....	563-30-SA
Melco Automatic Oil Burner, Type "A"....	1032-25-SA	Shill Oil Burner.....	315-30-SA
Merco Oil Burner.....	637-29-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Silent Automatic Oil Burner.....	458-26-SA
Morrissey Oil Burner.....	673-27-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Glow Oil Burner, Models 800, 1000, 1800 and 2800	345-31-SA
Moto-Heat Oil Burner.....	195-32-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Mousette Oil Burner.....	887-25-SA	Simplex Domestic Type "S.P." Oil Burner...	145-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Airoil Low Pressure Burner.....	186-29-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
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New Process Oil Burner.....	1071-27-SA	Stuhler Oil Burner.....	618-27-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Summerheat Oil Burner.....	581-26-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Nokol Automatic Burner.....	1078-24-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Norge Oil Burner Models N8, N18 and N28	226-34-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Nu-Way Oil Burner.....	773-26-SA	Sun Heat Oil Burner.....	603-29-SA
Gilbuilt Burner	85-33-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Sunway Oil Burner.....	624-30-SA
Oronoke Oil Burner.....	394-30-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Orr Fuel Oil Burner.....	113-26-SA	Superfex Oil Burning Heater.....	491-31-SA
Packard Fuel Oil Burner.....	77-34-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
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Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Powerlight Oilheat Burner.....	628-23-SA	United States Oil Burner.....	620-28-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	Universal Fuel Oil Burner.....	6-24-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Vaporoil Burner	44-32-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Vesta Oil Burner.....	451-26-SA
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Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Viking Oil Burner.....	396-32-SA
Rayfield Oil Burner.....	504-26-SA	Volcano Automatic Oil Burner.....	556-29-SA
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Remington Oil Burner.....	891-26-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
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Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	Wizard Automatic Oil Burner.....	181-33-SA
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RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

245-34-A—West Side of Vernon boulevard, 90 ft. north of 43d avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

Appliances Submitted for Approval.

1249-22-SA—Coen Steam Atomizing Oil Burner.
628-23-SA—Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15.

443-26-SA—American Anti-Syphon Valve.
380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type

591-29-SA—Improved Kres-Kno Oil Burner, Model MD.
359-30-SA—Conrau Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Mio Sunshine Oil Burner
491-31-SA—Suprefex Oil Burning Heater.

209-32-SA—Croker 4-inch Siamese.
237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.
528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.
23-33-SA—Sunrex Range Oil Burner.

62-33-SA—Florence Oil Heater, Models GC-6, GC-7, GS-27 and CH-28.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.
162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.
218-33-SA—Presto Gas Pressing Machine Burner No. 10

271-33-SA—Perfect-Pantex Oil Burner.

298-33-SA—American Blue Flame and Sun Flame Oil Burning Heaters.

349-33-SA—Herco Oil Burner.

32-34-SA—Super Oil Burner for Pressing Machine.

48-34-SA—Kolrid Range Oil Burner.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

155-34-SA—Midget Oil Burner.

156-34-SA—Allen's Siamese Connections for Fire Department use.

165-34-SA—Rose Oil Heater.

172-34-SA—Silent Glow Oil Burner, Atmospheric Type.

181-34-SA—Genuine Detroit Constant Level Valve, Models CRC160, CRC180, CRC150, CRC350 and CRC550, Types A-D-H-K-L-M-S, S-1, S-2 and V-1-2-3-4.

182-34-SA—Genuine Detroit Anti-Syphon Valve, Model CRC100, Types V and S.

183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.

184-34-SA—Vapofier Oil Burner.

192-34-SA—Preferred Type B Anti-Syphon Valve.

196-34-SA—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2.

202-34-SA—Monitor Oil Burner.

203-34-SA—King Oil Burner.

205-34-SA—Automatic Firetox Extinguisher.

208-34-SA—Globe Oil Burner Pump.

213-34-SA—Grant Syphon Breaker.

221-34-SA—The Ohio Pattern Works Foundry Co. Curb Fill Box (Gasoline).

224-34-SA—Progressive Press Machine Oil Burner.

234-34-SA—Bland Range Oil Burner.

236-34-SA—Air-O-Flame Range Burners.

237-34-SA—Holland Type "F" Oil Burner.

250-34-SA—A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6 and AS-9 and A-3798 Water Heater Assembly.

251-34-SA—No-Wyck Range and Stove Oil Burner.

256-34-SA—"Standard" One-Piece Closet Combination.

263-34-SA—Lonergan Oil Burning Heater, Models F-2, F-3 and C-4.

266-34-SA—Timken Silent Automatic Pressure Type Burner.

270-34-SA—Zenith Oil Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Croker National Fire Prev. Eng. Co.	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech) ...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

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WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

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BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Approved Fireline Hose Valves.

Approved Burners for Industrial Use.

Progress Report.

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Tuesdays, at 10 a. m. and 2 p. m.
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Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, October 22, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, October 29, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to October 17, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
292-34-BZ.....	D.B.Q.....	147-02 to 147-12 90th ave. and 90-01 to 90-11 Sutphin blvd., southeast corner (block 780, Lot 16), Jamaica, Queens. Applic. 1837-34.
291-34-SA.....	F.D.....	Champion Range Oil Burner and Electric Pumps, Models A, DeLuxe and Waco, Appliance.
290-34-BZ.....	D.B.Bx....	1001-1009 Morrison ave. and 1611-1619 Ludlow ave. (Eastern blvd.), northwest corner (Block 3718, Lot 1), The Bronx. N.B. 223-34.
289-34-BZ.....	D.B.B.....	308 Monroe st. (Block 1819, Lot 14), Brooklyn. Applic. 11368-34.
288-34-BZ.....	D.B.Q.....	Northwest corner of Cross Bay blvd. and Albert road (Block 2298, Lot 45), Ozone Park, Queens. Applic. 1712-34.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department

RULES

	<i>Last Publication in Bulletin</i>
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Concrete Flat Slabs, Rules.....	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	Oct. 9, 1934—Vol. 19 No. 41
Elevator Rules.....	July 3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
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Plumbing Rules.....	July 17, 1934—Vol. 19 No. 29
Procedure, Rules of.....	June 20, 1933—Vol. 18 No. 25
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Fuel Oil Burners for Domestic and Commercial Use.....	Oct. 16, 1934—Vol. 19 No. 42
Fuel Oil Burners for Industrial Use.....	Oct. 23, 1934—Vol. 19 No. 43
Fuel Oil Pumps.....	Oct. 16, 1934—Vol. 19 No. 42
Paint, Varnish and Lacquer Spraying Equipment.....	Apr. 17, 1934—Vol. 19 No. 16
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CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 22, 1934, AT 2 P. M.

Building Zone Cases.

211-34-BZ.	APPLICANT—Abraham M. Bakerman, for Rebecca Bakerman and Sadie Cooper, owners. PREMISES—Northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a business district the erection and maintenance of a gasoline service station.
214-34-BZ.	APPLICANT—Benjamin N. Brody, for Peter Schwartz, owner. PREMISES—412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a business district the change of occupancy of an existing building to a junk shop.
215-34-BZ.	APPLICANT—Leonard J. Tompkins, for Jamaica Savings Bank, owner. PREMISES—Southwest corner of Merrick road and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a business district the erection and maintenance of a gasoline service station.
238-34-BZ.	APPLICANT—Lama and Proskauer, for David F. Walsh, owner. PREMISES—480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a residence district the erection and maintenance of a gasoline service station.

OCTOBER 23, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 23, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 206-34-BZ—Application, July 11, 1934, under section 21 of the building zone resolution, of Clelia D'Alessandro, applicant, on behalf of Mary Picerno, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Jewett avenue and Castleton avenue (Block No. 1026, Lot No. 47), Port Richmond, Borough of Richmond.

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CAL. NO. 193-34-BZ—Application July 2, 1934, under sections 7f and 21 of the building resolution, of Edward Winter (Lessee), on behalf of Henry Ruttenberg, owner, to permit in a residence district an office and parking space for more than five motor vehicles; premises northeast corner of Watjean court and Fernside avenue (Block No. 271, Lot Nos. 1 and 38), Far Rockaway, Borough of Queens.

CAL. NO. 212-34-BZ—Application, July 19, 1934, under section 21 of the building zone resolution, of Louis A. Brown, substituted for Bailey & Ferrara, applicant, on behalf of Mabel O. Parker, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn.

CAL. NO. 222-34-BZ—Application, August 2, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Meyer Werman, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Little Neck parkway and Hillside avenue (Block No. 4523, part of Lot No. 51), Floral Park, Borough of Queens.

CAL. NO. 223-34-BZ—Application, August 3, 1934, under section 21 of the building zone resolution, of Kennedy & Ellner, applicants, on behalf of Albert V. Leudermann, Lillian B. Leudermann and Lena Wenner, owners, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot No. 1), Bayside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1934, 2 P. M.

Appeals from Administrative Orders.

252-34-A—1410 Bedford avenue (Block No. 1224, Lot No. 45), Borough of Brooklyn.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

259-34-A—141-145 West 36th street (Block No. 812, Lot No. 16), Manhattan.

293-34-A—Southeast corner Bay parkway and 65th street (Block No. 6578, Lot No. 3), Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the board of standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 23, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a*

report with recommendation by the committee of the Board:

CAL. NO. 161-30-BZ—Application, March 6, 1930; withdrawn September 23, 1930; reopened and restored to Calendar April 24, 1934, under section 21 of the building zone resolution, of Alfred J. Parsons, applicant, on behalf of Elsie Parsons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Southeast corner of 42nd street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

CAL. NO. 262-32-BZ—Application of Edward J. Walsh and Mary Walsh, owners, reopened September 11, 1934, under section 7f of the building zone resolution for consideration as to extension of permit—re Application, permitting in a business district the erection and maintenance of a gasoline service station for a temporary period of two (2) years; premises southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

CAL. NO. 168-34-BZ—Application, June 19, 1934, under section 21 of the building zone resolution, of Philip Schmeizer, applicant and lessee, on behalf of Ida M. Melton, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises south side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Borough of Queens.

CAL. NO. 168-28-BZ—Application of John Kochendorfer, on behalf of Adelaide F. Garbade, owner, reopened June 12, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Kissena boulevard and North Hempstead Turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 307-33-BZ—Application of H. E. Horwood, on behalf of 1758 Coney Island Avenue Realty Co., Inc., owner, reopened September 18, 1934 for amendment to resolution to permit the inclusion of a gasoline service station—re Application, granted under section 21 of the building zone resolution, permitting in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop, brake testing, automobile laundry and greasing for a period of five (5) years; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 29, 1934, AT 2 P. M.

Building Zone Cases.

191-34-BZ.

APPLICANT—Croker Fire Prevention Corporation, for The Hermitage Corp., owner.

PREMISES—2087 Boston road, west side, 100 ft. south of east 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the use of a plot of ground as a parking space for more than five motor vehicles.

207-34-BZ.

APPLICANT—Herman Kron, for Anna Shattan, owner.

PREMISES—Northeast corner of Steuben street and Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

460-26-BZ.

APPLICANT—Thomas W. Lamb, Inc., for Brooklyn Ridgewood Corp., present owner.

PREMISES—4921-4923 Fifth avenue, 514-534 49th street and 513-533 50th street (Block No. 784, Lot No. 2), Borough of Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened September 11, 1934).

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a building to be used as a theatre (previously granted by the board, and time to complete building has expired).

OCTOBER 30, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 30, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 1058-24-BZ—Application of Max Klein, on behalf of Max Tharler, owner, reopened May 29, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop; premises east side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), Borough of The Bronx.

CAL. NO. 227-34-BZ—Application, August 6, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Jacob Morgenthaler Sons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Queens boulevard and 51st avenue (Block No. 2472, Lot No. 9), Elmhurst, Borough of Queens.

CAL. NO. 109-34-BZ—Application, April 21, 1934, under section 21 of the building zone resolution, of Jacob Lubroth, applicant, on behalf of Louis Greenstein, owner, to permit in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop; premises southwest corner of Myrtle avenue and Cypress Hills street (Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

CAL. NO. 179-34-BZ—Application, June 21, 1934, under section 21 of the building zone resolution of Hugo E. Magnuson, applicant, on behalf of Estate of Maria K. Gray, owner, to permit in a residence district the erection and maintenance of a business building (stores); premises southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 30, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 30, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 126-34-BZ—Application, May 9, 1934, under section 21 of the building zone resolution, of Philip Schneider, applicant, on behalf of Sarah Feinman, owner, to permit in a business district the maintenance of a motor vehicle repair shop; premises 609 Snediker avenue (Block No. 3851, Lot No. 1), Borough of Brooklyn.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the Board; premises 501 West 180th street and 2418 Amsterdam avenue, north-

CALENDAR

west corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 5, 1934, AT 2 P. M.

Building Zone Cases.

339-33-BZ.

APPLICANT—Samuels and Samuels, for Otnas Realty, Inc., owner.

PREMISES—14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened July 17, 1934),

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn).

242-34-BZ.

APPLICANT—John Pross, for Jalccc Realty Corp., owner.

PREMISES—787-795 Empire boulevard, north side, 260 ft. east of Troy avenue (Block No. 1423, Lot Nos. 41 and 43), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a garage for more than five motor vehicles.

261-34-BZ.

APPLICANT—Wood & Marshall, for Samuel H. Baylis and Sheldon F. Baylis, owners.

PREMISES—93-28 New York avenue, west side, 25 ft. south of L. I. R. R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles.

272-34-BZ.

APPLICANT—Benjamin Millstein, for John J. Tully, owner.

PREMISES—901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

NOVEMBER 7, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 7, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 195-34-BZ—Application, July 2, 1934, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Hattie M. Marks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

CAL. NO. 230-34-BZ—Application, August 9, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of William F. Clark, owner, to permit in a business district the maintenance of an existing motor vehicle repair shop; premises 303-305 4th avenue, southeast corner of 2nd street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

CAL. NO. 227-20-BZ—Application of Samuel Rosenblum, on behalf of Goble Jerome Co., Inc., present owner, reopened September 18, 1934, for amendment of resolution to permit the inclusion of a gasoline service station—re Application, granted under sections 7c and 21 of the building zone resolution, permitting in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles, to be used in part for a gasoline service station; premises 1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 13, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, OCTOBER 16, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, October 9, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, October 9, 1934, were approved as printed in Bulletin No. 42, Vol. XIX.

BUILDING ZONE CASES.

126-34-BZ.

APPLICANT—Philip Schneider, for Sarah Feinman, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—609 Snediker avenue (Block No. 3851, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harold J. Levy.

For Opposition: Samuel Rothstein, Rebecca Winter, Minnie E. Wilk, Jacob Weinstein and Jacob Mutnick.

ACTION OF BOARD—Laid over to October 30, 1934, at 2 p. m., for report of committee on inspection. No further argument.

127-34-BZ.

APPLICANT—Peter Brandt, for George Zauderer & Sons, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing building to business use.

PREMISES AFFECTED—288-290 West 92nd street (Block No. 1239, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Peter Brandt.

For Opposition: I. Bernard Leff, Paul P. Gettinger, Samuel Falk, Frederick A. Wvckoff, David Taub, M. J. Callahan, Joseph F. Ad-donzio, Charles Wafange, Inspector George R. Gunn for Tenement House Department.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(127-34-BZ)

WHEREAS, Peter Brandt, for George Zauderer & Sons, Inc., owner, filed May 10, 1934, an application under the building zone resolution to permit in a residence district the alteration and change of occupancy of part of an existing building to business use; premises: 288-290 West 92d street (Block No. 1239, Lot No. 56), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 92d street is in a residence and business district; Broadway is in a business district and West End avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 7, 1934, re Certificate of Occupancy, Premises 288-290 West 92d street, reads:

"With reference to your application for a certificate of occupancy, you are advised that same has been disapproved for the reason that the building is located in a residential district and the zoning resolution prohibits the use of building for business purposes."

and

WHEREAS, the building is of non-fireproof construction, six stories and basement in height, with a frontage of 50 ft. and a depth of 88 ft. to be occupied as a laundry in basement store and office and apartment on 1st story and the remainder of the building as apartments; and

WHEREAS, the board deemed that applicant failed to substantiate his basis of appeal under section 21 on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

159-34-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the extension of an existing gasoline service station.

PREMISES AFFECTED—Southwest corner of East Fordham road and Arthur avenue (Block No. 3067, Lot Nos. 54 and 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur H. Haaren and John F. Burns.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(159-34-BZ)

WHEREAS, Arthur H. Haaren, for Kesbec, Inc., owner, filed June 12, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district the extension of an existing gasoline service station; premises: southwest corner of East Fordham road and Arthur avenue (Block No. 3067, Lot Nos. 54 and 56), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East Fordham road is in a business district; East 189th street is in a business district and Arthur avenue is in a business district and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered July 19, 1934, re Applic. N.B. 93-34, reads:

MINUTES

"1. Erection of building and maintenance of premises on extension of plot in business and residence districts to be used as extension of existing gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 92 ft. on East Fordham road, 85 ft. on Arthur avenue and a distance of 108 ft. along the west lot line; part of the south portion of the plot extends into the residence district for a distance of 8 ft.—the remainder is in the business district. The east part of the plot, having a frontage of 25 ft. on East Fordham road and 85 ft. on Arthur avenue, is operating under duly authorized permits as a gasoline station, having been in operation prior to June 12, 1925. It is proposed to demolish the metal garages now on the site, relocate the grease pits, install additional tanks and buildings and use the entire plot as a gasoline service station; and

WHEREAS, a committee of the board inspected this site on October 4, 1934; and

WHEREAS, a portion of the plot has been used as a gasoline service station since prior to 1925; and

WHEREAS, the board deemed that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution,—hardship, and was, therefore, entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution under section 21 and that the application be and it hereby is *granted*, permitting the site under appeal to be occupied and maintained as a gasoline service station, *on condition* that all of the buildings now existing on the site shall be removed and the plot leveled substantially to the grade of East Fordham road; that the accessory buildings to be constructed shall be substantially as indicated on the plans filed with this application and used only as so indicated; that the accessory buildings shall not exceed one story in height and shall be constructed of face brick or glazed terra cotta and incombustible materials except that the roof beams, roof boarding, window frames and sash and doors may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the weather surfacing on the roof is of incombustible material and provided the boiler room shall be completely separated from the balance of the building with fireproof material and enterable only from the exterior of the building; that there shall be erected on the interior lot lines a wall not less than 8 ft. in height and constructed of face brick or glazed terra cotta, except that this wall may start at a height of 4 ft. at the East Fordham road building line and Arthur avenue building line and be graduated at the rate of 1 ft. in 4 to the 8 ft. height; that this wall shall be suitably coped with stone or terra cotta; that such gasoline pumps as are erected shall be not less than 15 ft. from the street building line and not nearer than 10 ft. from any part of an accessory building; that there shall not be any excavation under any portion of the accessory buildings except for the lubricating pits; that no open flame shall be permitted on the property other than in the heating boiler; that there shall be no portable gasoline pumps used on or from the property; that advertising signs shall be confined to the illuminated globes of the gasoline pumps and to a permanent flat sign attached to the accessory building, eliminating all roof signs and all temporary signs of every nature; that if doors are installed in front of the lubricating pit section, a ventilating system shall be installed to ventilate the greasing pits, with a spark proof motor and vents, terminating above the roof; that no automobile repairing shall be permitted on the

premises and no parking of cars other than those being serviced; that the balance of the plot, where not covered by accessory buildings and walls, shall be cement paved; that there shall be erected along the street building line of Arthur avenue and East Fordham road a reinforced concrete curbing constructed integral with the cement paving, this curbing not to be less than 12 in. in width and not less than 5 in. in height with rounded top and with not more than two openings therein to East Fordham road and not over two openings to Arthur avenue, no opening to exceed 25 ft. in width and with curb cuts opposite not over 30 ft. in width, no part of any opening to be nearer than 5 ft. to the corner formed by the intersection of East Fordham road and Arthur avenue, nor nearer than 3 ft. to the interior lot line of adjoining properties; that prior to the filing with the commissioner of buildings, plans shall be submitted to the board and approved by the chairman of the board; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

180-34-BZ.

APPLICANT—Christensen Engineering Co., Inc., for Kazimer Wajda, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of 123rd avenue and Sutphin boulevard (Block No. 2831, Lot No. 71), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: D. Benjamin Mason, Andrew Christensen and Kazimer Wajda.

For Opposition: V. P. Schaus, Mrs. A. Johnson and Mrs. Tolvanen.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(180-34-BZ)

WHEREAS, Christensen Engineering Co., Inc., for Kazimer Wajda, owner, filed June 22, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises: southwest corner of 123d avenue and Sutphin boulevard (Block No. 2831, Lot No. 71), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sutphin boulevard is in a business and residence district; 123d avenue is in a residence district; and 147th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 2, 1934, Plan No. 364, reads:

"1. The erection of a gasoline service station in a business district and extending into a residence district is contrary to article 2, section 4, subdivision 46 and section 3 of the BZR."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. on Sutphin boulevard and 105 ft.

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on 123d avenue. The west portion of the plot extends into the residence district for a distance of 5 ft. The remainder of the plot is in the business district. Proposes to erect on the site a one story building 16 ft. by 20 ft. in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, a committee of the board has made a number of inspections in the immediate vicinity in connection with previous cases; and

WHEREAS, the board deemed that applicant was not entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

229-34-BZ.

APPLICANT—Edgar J. Moeller, for John McCluskey, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a repair shop for motor vehicles in connection with automobile sales building.

PREMISES AFFECTED—531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx.

APPEARANCES—

For Applicant: Edgar J. Moeller.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(229-34-BZ)

WHEREAS, Edgar J. Moeller, for John McCluskey, owner, filed August 8, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a repair shop for motor vehicles in connection with automobile sales building; premises: 531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East Fordham road is in a

business district; East 191st street is in a residence district; East 189th street is in a business district, and Bathgate avenue is in a residence and business district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 6, 1934, re Applic. N.B. 177-34, reads:

"1. Proposed occupancy of building in business district to be used in part as repair shop for motor vehicles is contrary to provisions of building zone resolution."

and

WHEREAS, the building is to be of fireproof construction, two (2) stories in height, with a frontage of 100 ft. on East Fordham road and 83 ft. on Bathgate avenue, to be occupied as an automobile showroom and a motor vehicle repair shop, the roof to be used for storage of second hand cars; and

WHEREAS, the board deemed, after inspecting the property, that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution,—hardship, and was, therefore, entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution under section 21 and that the application be and it hereby is *granted*, permitting a limited use for a motor vehicle repair shop on the second floor of the proposed building, *on condition* that the building shall be constructed fireproof throughout and shall be substantially in accordance with the plans filed with this application; that the openings shown as entrances to the greasing pits from Bathgate avenue shall be eliminated; that, if the roof is used for the storage of cars, a parapet wall on all four sides shall be erected, not less than 6 ft. in height above the roof; that the repair work shall be limited to such work as can be done with manual tools and with machine tools requiring not over ½ h.p. each; that there shall be no open flame permitted and no forge or anvil; that any painting carried on shall be in compliance with the rules of the Board of Standards and Appeals applicable thereto; that the building shall be equipped with a standpipe system installed in accordance with the rules of the Board of Standards and Appeals and with not less than two roof outlets; that there shall be no gasoline tank or pump or sale of gasoline on the premises; that the cars stored on the roof shall have their tanks empty of gasoline; that this permit shall continue only so long as the building is used in one occupancy as a sales and service building for automobiles; that signs shall be limited to permanent signs on the facades of the building, eliminating all roof signs; that such signs as are erected facing Bathgate avenue shall not be of the illuminated type; that all permits shall be obtained within six months and all work completed within one year from the date of this action.

Adjourned, 1:00 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, 378 West Broadway. Price 30c; by mail 35c.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 16, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

556-26-BZ.

APPLICANT—John F. Meehan, for Avoncel Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Meehan and John A. C. McGann.

For Opposition: None.

ACTION OF BOARD—Laid over to October 30, 1934, at 2 p. m., for further consideration.

73-34-BZ.

APPLICANT—Michael Levine, for Karron & Lieberman, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for more than five (5) motor vehicles and also, a gasoline service station—part of a larger plot located partly in a residence district upon which a similar application was denied (reopened June 19, 1934).

PREMISES LOCATED—1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 $\frac{3}{8}$ in. south of 20th avenue (Block No. 5464, part of Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Levine.

For Opposition: T. W. Rose.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Absent 0

THE RESOLUTION—

(73-34-BZ)

WHEREAS, Michael Levine, for Karron and Lieberman, Inc., owner, filed March 16, 1934, an application under the building zone resolution to permit in a residence and business district the erection and maintenance of a garage for more than five (5) motor vehicles and also a gasoline service station; this application was denied by the board May 22, 1934, and reopened on a new state of facts June 19, 1934, to permit the erection of the garage and gasoline station on a smaller plot entirely within the business use district; premises: 1140-1158 McDonald avenue (Gravesend avenue), west side, 63 ft. 5 $\frac{3}{8}$ in. south of 20th avenue (Block No. 5464, part of Lot No. 15), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that McDonald avenue is in a business district; Dahill road is in a residence district; 20th avenue is in residence and business districts; Avenue I is in residence and business districts; and

WHEREAS, the decision of the commissioner of buildings rendered July 2, 1934, re Applic. No. 8432-1934, reads:

“Proposed public garage and a gasoline service station to be located in a business use district are contrary to article 2, section 4a of the zone resolution.”

and

WHEREAS, the premises (part of a larger plot of ground upon which an application for a garage and gas station was denied by the board) consist of a plot of ground having a frontage of 180 ft. on McDonald avenue, 64 ft. 7 in. on 20th avenue and a distance of 100 ft. along the south lot line, upon which it is proposed to erect a one story garage for more than five motor vehicles, 100 ft. by 100 ft. in area; to the north of this building it is proposed to erect another one story structure 22 ft. by 62 ft. in area to be used as office grease pits and car washing; the remainder of the plot to be used as a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Re: Cal. No. 73-34-BZ

Premises: 1140-58 McDonald avenue, W.S., 63 ft. 5 $\frac{3}{8}$ in. south of 20th avenue (Block No. 5464, part of Lot No. 15), Borough of Brooklyn.

This is an application for a zoning variance under section 21 for a garage and gasoline service station on a plot located on the west side of McDonald avenue, formerly Gravesend avenue, of irregular shape, with an average depth of approximately 100 ft. and with a frontage on McDonald avenue of 180 ft. and on 20th avenue (which meets McDonald avenue at an acute angle approximately 85 ft. north of this plot) of 64 ft.

This application was before the board in May, at which time the plot was larger, including more frontage on 20th avenue, within a district zoned for residential use. That application was denied after inspection and report by a committee of the board. The application was reopened, however, in June for the same nonconforming use, but limited to that portion of the plot described above which is entirely in a zone for business use and it is proposed to grass the portion of the plot in the residential area until it can be used for a conforming use. To this revised application the objection by adjacent property owners is less strenuous and such objection appears to be as to the gasoline station rather than the garage.

These premises and the surrounding section were carefully surveyed and inspected by a committee of the board on October 4, 1934, and the committee's conclusion is that while this new proposal is less objectionable than the former proposal, there is still no adequate ground for hardship. The former report referred to the sufficiency of gasoline stations to which may be added one recently granted at McDonald avenue and 37th street, if this station is built. Reference was also made at the hearing to a permit for a garage on McDonald avenue. This variation was granted in 1931, and, following the usual procedure, the condition imposed as to completion has been extended as to time, without again reviewing the merits. However, that garage has not been erected, indicating that the demand for it may not be justified.

It is difficult for the committee to believe that this lot, located at the junction of this important thorough-

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fare and directly at an elevated station cannot be developed for a conforming use. It may be impossible for the present owners to do so in view of the financial situation with foreclosure imminent, but the committee is by no means convinced that if the variation sought was granted that the garage could be financed and erected. If granted and it were not constructed, it would be claimed a basis for further petitions for variations on adjoining vacant property. The claims of real unnecessary hardship sufficient to warrant granting this application do not, in the committee's opinion, exist and the recommendation is that this application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not supported the basis of his application brought under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

185-34-BZ.

APPLICANT—Samuels & Samuels, for Ben H. Sanders and Henry A. Doten, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Milton Samuels.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(185-34-BZ)

WHEREAS, Samuels & Samuels, for Ben H. Sanders and Henry A. Doten, owners, filed June 23, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: north side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is business; 36th avenue is unrestricted, business and residence, and 37th avenue is business and residence; and

WHEREAS, the decision of the commissioner of buildings, Plan No. 995-34, rendered June 18, 1934, reads:

"1. The erection of a gasoline service station in a business district is contrary to article 2, section 4, sub-section 46 of the B.Z.R."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 185.7 ft. on Broadway, 129.3 ft. on 36th avenue and a distance of 158 ft. along the east lot line, upon which it is proposed to erect a one story office and grease room structure, 50 ft. by 27 ft. in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing and which report follows:

REPORT OF COMMITTEE ON INSPECTION.

Re: Cal. No. 185-34-BZ

Premises: North side of Broadway, 51 ft. east of 36th avenue (Block No. 1269, Lot Nos. 70 and 71), Jackson Heights, Borough of Queens.

The variance sought under section 21 is for a gasoline service station on a plot irregular in shape, and triangular except for two small parcels owned by others. Located in an area zoned for business use on the north side of Broadway, Jackson Heights, it has a frontage of 185 ft. on the gradient leading to the bridge over the tracks of a branch of the New York connecting railroad and also a frontage of 129 ft. along 36th avenue, an opened but unpaved dead end street. Across the street is a garage and gasoline station in an unrestricted district. The plot under appeal slopes sharply to 36th avenue with a difference of grade of 8 to 10 ft. from a point on Broadway near the bridge to the low point along 36th avenue.

These premises and the surrounding area were carefully inspected by a committee of the board on October 4, 1934. This section, in spite of the connecting railroad and the garage, is largely residential with a few neighborhood stores which the committee found generally occupied at fair rentals. Across Broadway from the site is a small public park. At the corner of 36th street is the subway entrance, giving rapid transit facilities immediately at this site. Several outstanding apartment developments are adjacent, particularly that of the Metropolitan Life Insurance Company, considered as a model development with landscaped courts. The apartment buildings are well rented. The location and elevation of this plot under appeal provides an excellent location for an apartment building with stores near the subway entrance. It is one of the few locations where private garages for tenants could be constructed legally opening upon 36th street, because of the "sloping lot" conditions meeting the Multiple Dwelling Law requirements. On Broadway, entrance to a gasoline station would be extremely dangerous because of the gradient up to the bridge. Furthermore, trees have recently been planted which would be destroyed and more particularly there are sidewalk gratings along the Broadway frontage providing ventilation for the subway which even if strengthened but necessarily left open would cause an element of danger for motor vehicles traversing them.

The committee finds no need for additional gasoline stations. There are at least six nearby or within a few blocks. These would appear ample for all requirements.

There are no consents filed and there are many objections, including the commissioner of parks, the local Taxpayers Association, claiming a membership of over four hundred members. An objection received since the hearing from the Metropolitan Life Insurance Co. voices strenuous objection and, in the opinion of the committee, their buildings would be the most seriously affected.

The committee finds nothing with the possible exception of the railroad to justify the claim of hardship and this in itself cannot be considered sufficient. Other apartments nearby are equally affected and were constructed in spite of the railroad which is not in

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constant use. It might be pointed out that many outstanding apartment buildings adjoin railroad tracks, notably those at Forest Hills and Kew Gardens.

The opinions expressed by several real estate men are not convincing. They stress the undesirability of the site for stores, but residence buildings are a conforming use without stores and across Broadway the Metropolitan Life Insurance Company has constructed no stores although they would be permitted.

The committee recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee on Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE ORDERS.

63-34-A.

APPELLANT—Walter C. Martin, for Board of Education for City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Appellant: Charles Tilgner.

For Administration: None.

ACTION OF BOARD—Laid over to November 13, 1934, at 2 p. m., upon request of appellant's representative.

232-34-A.

APPELLANT—Lease Bros. Coachcraft, Inc., for William Buchanan, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: None.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Laid over to October 23, 1934, at 2 p. m., upon request of appellant's representative.

209-34-A.

APPELLANT—Chilean Nitrate Sales Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2-12 Taylor street (Block No. 2174, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Appellant: Charles E. Elbert.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(209-34-A)

WHEREAS, Chilean Nitrate Sales Corporation, lessee, filed July 18, 1934, an appeal from an order of the fire commissioner, affecting premises 2-12 Taylor street (Block No. 2174, Lot No. 14), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated June 29, 1934, re Order No. 65073-LC, reads:

"With reference to application, dated June 25, 1934, for a permit to store two thousand (2,000) tons of nitrate of soda at 2-12 Taylor street, Brooklyn, I regret to state that I am without power to grant such a permit for the reason that the storage of this very large quantity of nitrate of soda in a building of wooden construction within the city limits is not in the interest of public safety and is in violation of section 10, chapter 10, code of ordinances, New York.

"1. You are therefore, ordered to remove all nitrate of soda from the premises 2-12 Taylor street, Brooklyn, and to discontinue the further storage of nitrate of soda on said premises."

and

WHEREAS, the building is of brick and frame construction, two stories (25 ft.) in height, 142 ft. 9 in. by 100 ft., irregular in area at first story and 34 ft. 10 in. by 13 ft. 6 in. in area above; OCCUPIED: first story, storage of sodium nitrate; second story, office, one person; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected about 1884, fronting on Wallabout Canal and on Taylor street, open at northeast side, a brick building with fire-proof windows at southeast; the neighborhood is used entirely for industrial purposes; it is proposed to store 2,000 tons of sodium nitrate in 100 and 200 pound bags, carefully piled about 25 bags high, with aisles arranged for inspections and pails of sand placed at regular intervals; it is useful as a fertilizer; the appellant contends that sodium nitrate is not inflammable, combustible nor an explosive; it does not decompose until subjected to intense heat of 1,700 degrees Fahrenheit, that such condition is practically impossible to happen; due to the property of sodium nitrate in absorbing large quantities of water from the air, the burlap bag containers become moist and difficult to ignite; the rate of insurance is less than upon furniture of a dwelling; furthermore, the appellant, contends that the storage of sodium nitrate is not in violation of the code of ordinances, and the fire commissioner was in error by refusing a permit and issuing the order; and

WHEREAS, an inspection was made of these and adjoining premises by a committee of the board and a representative of the bureau of combustibles of the fire department on October 10, 1934, and a test under the direction of the bureau of combustibles was witnessed by said committee and a report of this test filed at the hearing; and

WHEREAS, as a result of the test the board deemed that the storage of sodium nitrate was a hazard and that the fire commissioner was justified in issuing the violation under the provision of section 10 of chapter 10 of the code of ordinances.

Resolved, that the order of the fire commissioner be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

248-34-A.

APPELLANT—Ansonia Fire Prevention Eng. Co., for Lawland Corporation, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—343-345 Madison avenue (Block No. 1279, Lot Nos. 22 and 23), Borough of Manhattan.

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APPEARANCES—

For Appellant: Herman E. Horwood.
For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(248-34-A)

WHEREAS, Ansonia Fire Prevention Eng. Co., for Lawland Corporation, owner, filed August 28, 1934, an appeal from an order of the commissioner of buildings, affecting premises 343-345 Madison avenue (Block No. 1279, Lot Nos. 22 and 23), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated August 9, 1934 (Order No. 16088-F), reads:

"1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Section 580-1, chapter 5, code of ordinances and rules 91, of the Board of Standards and Appeals."

and

WHEREAS, the building, erected in 1921, is fireproof, 13 stories (159 ft.) in height, 50 ft. by 100 ft. in area; occupied as an office building, 35 persons per story; and

WHEREAS, the building is equipped with a standpipe system supplied from an 8,200 gallon capacity gravity tank, 3,500 gallons reserved for standpipe use; the bottom of the tank is located 16 ft. 9 in. above the outlet in the 13th (top) story; and

WHEREAS, appellant contends that the distance between the top outlet and the bottom of the tank is only slightly less than the required distance and requests the acceptance of existing conditions.

Resolved, that the order No. 16088-F of the commissioner of buildings be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the gravity tank to remain at its present level, *on condition* that the bottom of the tank shall be not less than 16 ft. 6 in. above the hose outlet in the top story or penthouse story; that the hose nozzles in the top story shall be reduced to 1/2-inch diameter and that the standpipe system shall otherwise comply with the Standpipe Fire-Line Rules of the Board of Standards and Appeals.

255-34-A.

APPELLANT—Edward Hall Faile, for Mrs. Laura H. Jennings, owner.

SUBJECT—Appeal from a decision of the board of buildings.

PREMISES AFFECTED—109 East 73rd street (Block No. 1408, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Appellant: Edward Hall Faile.
For Administration: None.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Kidney 4
Absent 0

THE RESOLUTION—

(255-34-A)

WHEREAS, Edward Hall Faile, for Mrs. Laura H. Jennings, owner, filed September 4, 1934, an appeal from a decision of the board of buildings affecting premises 109 East 73rd street (Block No. 1408, Lot No. 7), Borough of Manhattan; and

WHEREAS, the decision of the board of buildings in the form of a resolution, dated August 9, 1934, reads:

"Resolution—Whereas on July 26, 1934, Mr. E. H. Faile, acting for the owners, filed an appeal from order and decision of the commissioner of buildings, Borough of Manhattan; said order reads as follows:

Alt. 1393-34 "2—Lawful rear yard is required in compliance with section 172 M.D.L. 3—Conversion of this building to a multiple dwelling is contrary to section 172—a M.D.L. Note that building is five stories and basement in height"; and

WHEREAS, the building in question is presently used as a private dwelling and is five stories and basement in height; and

WHEREAS, section 172 of the Multiple Dwelling Law reads in part as follows:

"In the rear of every converted dwelling, except as provided in this section and section one hundred and seventy of this chapter, there shall be a yard extending across the entire width of the lot and not less than thirteen feet in depth at any point between the rear wall of the building and the rear lot line, or there shall be an outer court not less than three feet in width which alone or with the unoccupied space at the rear of the building is not less in area than the area of such a yard . . ."; and

WHEREAS, section 172-a of the Multiple Dwelling Law reads in part as follows:

"No dwelling which exceeds five stories in height not occupied as a multiple dwelling on the fifteenth day of April, nineteen hundred thirty, shall thereafter be converted to a multiple dwelling. . ."

Resolved, that the order and decision of the commissioner of buildings, Borough of Manhattan, be and it hereby is affirmed and the appeal be and hereby is denied."

and

WHEREAS, the decision of the commissioner of buildings, dated June 29, 1934, rendered in acting on Application 1393-34 and from which the appeal to the board of buildings was taken, reads:

"Item No. 2. Lawful rear yard is required in compliance with section 172 M.D.L.

Item No. 3. Conversion of this building to a multiple dwelling is contrary to section 172-a M.D.L. Note the building is five stories and basement."

and

WHEREAS, the building is non-fireproof, five stories, basement and cellar (71 ft.) in height, 22 ft. by 102 ft. 2 in., irregular in area; OCCUPIED as a (one family) residence building, located within a residence district; and

WHEREAS, the appellant proposes to make interior alterations for the purpose of changing the occupancy to four duplex apartments, three single apartments and two doctor's offices, i.e. to a class "A" converted multiple dwelling; and

WHEREAS, the appellant now appeals to the Board of Standards and Appeals under section 411, chapter 764, laws of 1933, for relief and the reversal of the decision of the board of buildings; and

WHEREAS, it is the opinion of the Board of Standards and Appeals that neither the commissioner of buildings nor the board of buildings, nor the Board of Standards and Appeals has any power under chapter 764 of the laws of 1933 or any other law to vary the requirements of the Multiple Dwelling Law respecting the proposed conversion or any other requirements of said law except as expressly authorized thereby.

Resolved, that the decision of the board of buildings be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

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279-34-A.

APPELLANT—Screen Theatre, Inc., lessee, for F. B. and R. Corp., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—113-14 Jamaica avenue (Block No. 220, Lot No. 6), Richmond Hill, Borough of Queens.

APPEARANCES—

For Appellant: John Manheimer and Morris Fleishman.

For Administration: Captain George J. Foster of fire department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(279-34-A)

WHEREAS, Screen Theatre, Inc., lessee for F. B. & R. Corp., owner, filed October 1, 1934, an appeal from an order of the fire commissioner, affecting premises 113-14 Jamaica avenue (Block No. 220, Lot No. 6), Richmond Hill, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated September 25, 1934 (Order No. 22-A), reads:

"1. Restore direct telegraph (fire alarm) system with fire department headquarters."

and

WHEREAS, the building, erected in 1914, is non-fireproof, two (2) stories in height, 50 ft. by 125 ft. in area; occupied as a motion picture theatre seating 1,000 persons; and

WHEREAS, appellant contends that the building is equipped with a standpipe system; that there is a fire hydrant located approximately 40 ft. from the side exit; that there is no stage or dressing room in the building; that there is a fire alarm signal box located directly across the street from the theatre (distant 108 ft. that the required fire equipment is provided and that there is a telephone located in the lobby of the theatre; and

WHEREAS, it was the sense of the board that the provision of section 20, chapter 12 of the Code of Ordinances requires a direct telegraphic communication to fire department headquarters irrespective of whether there is a stage or scenery; and

WHEREAS, the board deemed that the number of seats in the auditorium and balcony so far exceeded the limitation of 600 as to come within the definition of a theatre as prescribed by article 25, chapter 5, of the Code of Ordinances and as to require such means of communicating alarms of fire to the fire department in event of fire; and

WHEREAS, the fire commissioner has determined that such means should be a telegraphic connection direct to headquarters.

Resolved, that the order No. 22-A of the fire commissioner be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

285-34-A.

APPELLANT—Samuel Oxhandler, for Department of Public Markets, Weights and Measures, City of New York, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—Center of Roadway—Park avenue, 111th street to 115th street (under Viaduct of New York Central R. R.), Borough of Manhattan.

APPEARANCES—

For Appellant: Commissioner Kimball and Samuel Oxhandler.

For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(285-34-A)

WHEREAS, Samuel Oxhandler, for Department of Public Markets, Weights and Measures, City of New York, owner, filed October 9, 1934, an appeal from a decision of the commissioner of buildings, affecting premises Center of Roadway, Park avenue, 111th street to 115th street (under viaduct of New York Central R.R.), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated September 26, 1934 (N.B. App. No. 118-1934), reads:

"This amendment is disapproved with the following objections repeated.

"1. Metal buildings may not exceed 1250 sq. ft. in area nor 15 ft. in height, section 74, building Code.' Reconsideration denied.

"2. State maximum number of people in each building.' Toilet facilities are inadequate.

"3. Provide standpipes as per section 581 building code and the rules of the fire prevention division of this department.' Reconsideration denied.

"4. File complete structural and architectural plans so that examination may be completed.' Note: A certificate of occupancy will be required."

and

WHEREAS, the premises consist of two similar buildings located beneath the New York Central Railroad elevated structure, in the roadway of Park avenue between East 111th street and East 115th street; each building is metal construction, one story (18 ft. 6 in.) in height, 453 ft. 3 in. by 49 ft. 3 in. (approximately 22,000 sq. ft.) in area; occupied as a municipal retail market; and

WHEREAS, appellant contends that the structures are to be built entirely of incombustible materials; proposes to enclose the elevated columns with brick and to protect the two structures in question with a standpipe system.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to N.B. App. No. 118-1934, Items 1 and 3 *on condition* that the metal buildings shall be constructed substantially in accordance with the plans filed with this appeal, entirely of incombustible material; that there shall be no roof openings in these buildings; that there shall be installed in these buildings in lieu of the requirements of the Standpipe Fire-Line Rules of the Board of Standards and Appeals, a standpipe system of the type provided for in Rule 85 of the Standpipe Fire-Line Rules of the Board of Standards and Appeals, waiving the requirements for fire pump or gravity tank; that there shall also be installed outside of the building, fire hydrants in addition to those already in place, between East 111th street and East 115th street on each side of Park avenue, opposite the center of each of the proposed buildings; that the toilet facilities shall be adequate in the opinion of the commissioner of buildings; that all other requirements of the Code of Ordinances and laws applicable thereto shall be complied with, other than as amended herein; that this modification shall in no way be deemed as permitting the construction of these buildings across existing streets, until such times as the closing of such streets is duly approved by the proper authorities; that the columns supporting the elevated structure of the

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New York Central and Hudson River Railroad within the blocks within which these buildings are to be erected shall be protected for their full height with fireproof material consisting of not less than 8 in. of brick laid in cement mortar or 4 inches of reinforced concrete; that this variation shall apply only as long as these buildings are occupied as public markets and under the supervision of the Department of Markets, Weights and Measures.

APPLIANCES SUBMITTED FOR APPROVAL.

274-34-SA.

PETITIONER—The Bradley & Hubbard Mfg. Co., owner.

SUBJECT—B. & H. Radiant Stove Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of the board and bureau of combustibles, fire department, for test and report.

275-34-SA.

PETITIONER—Vapomatic Oil Burner Co., Inc., owner.

SUBJECT—Vapomatic Oil Burner, approval of.

APPEARANCES—

For Petitioner: S. Fingerman.

ACTION OF BOARD—Petition placed on reserve calendar, referred to engineer of board and bureau of combustibles, fire department, for test and report.

276-34-SA.

PETITIONER—Clifford Strain, for Fyrout Company, Inc., owner.

SUBJECT—Gem Fire Extinguisher, Model O, approval of.

APPEARANCES—

For Petitioner: Daniel McClain.

ACTION OF BOARD—Petition withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

166-33-SA.

PETITIONER—Harry Clark, for Gold Star Oil Burner Mfg. Co., Inc., owner.

SUBJECT—Gold Star Oil Burner, Models F. & S.—Application for reopening—Amendment.

APPEARANCES—

For Petitioner: Harry Clark.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(166-33-SA)

WHEREAS, this petition affecting the approval of the Gold Star Oil Burner was granted by the board October 17,

1933, and the owner requested an amendment of the resolution to permit the use of this burner under the name Yorktown Oil Burner.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Gold Star Oil Burner, Models F and S, for use in domestic, commercial and industrial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals for use with fuel oil not heavier than No. 3; that this burner may also be marketed under the name of the Yorktown Oil Burner; that there shall be permanently attached to each oil burner a label stating that this burner has been approved by the Board of Standards and Appeals for use in New York City under Cal. No. 166-33-SA.

222-33-SA.

PETITIONER—American Fire Prevention Bureau, Agent for Horace Dowie, owner.

SUBJECT—Dowie Combination Anti-Siphon Valve—Application for reopening—re Amendment to resolution.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(222-33-SA)

WHEREAS, the petition affecting the approval of the Dowie Combination Anti-Siphon Valve was approved by the board July 17, 1934, and petitioner requested the omission of the word voluntary in the resolution.

Resolved, that the Board of Standards and Appeals *does* hereby *amend* its resolution of July 17, 1934, to approve the Dowie Combination Anti-Siphon Valve, under the Oil Burner Rules of the Board of Standards and Appeals for oil burner installations, *on condition* that a ring shall be inserted in the top of the inner tube, or the top of the said tube spun over so as to prevent easy removal of the monel metal plunger.

48-34-SA.

PETITIONER—Albert Bliss, for Kolrid Oil Burner Corp., owner.

SUBJECT—Kolrid Range Oil Burner, approval of.

APPEARANCES—

For Petitioner:

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(48-34-SA)

WHEREAS, Albert Bliss, for Kolrid Oil Burner Corp., owner, filed February 19, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Kolrid Range Oil Burner; and

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WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This unit consists of a stand and glass bottle container for the storage of oil, piping, control valves and two combustion chambers which are placed inside the range. The bottle is inverted into a metal reservoir, which has a cast iron boss that extends upward from the reservoir bowl. The reservoir bowl is set on the top of the metal stand which has a circular base about 8 inches in diameter.

The tubing used is extra heavy 5/16-in. copper, and a single length of it connects the oil reservoir to the control valves. These control valves are manufactured by the Worcester Taper Pin Company and are of the "V" slot principle, which prevents clogging and affords a fine control for the burner. These valves are connected to the base of the burner by means of copper tube. The burner unit proper consists of the valve assembly; a cast iron base 6-9/16 in. in diameter, which has four combustion chambers on it, all of which are connected by ducts to a central fuel chamber into which is screwed at the bottom what is known as a carbon leg.

The fuel line from the valves is fastened to this leg. The combustion chambers are fitted with perforated chrome nickel steel shells or stacks, two to each chamber, one inside of the other. In all there are 8 of these cylinders in each unit.

At the top of the stack there is a metal top cover with a series of rings cast in the under side into which the stacks fit. This cover is bolted to the base of the burner. Each stack is equipped with an asbestos wick.

The burner units are equipped with a cast iron pedestal which is bolted to the base of the stove. The height of the burner may be adjusted on this pedestal to suit the particular needs of each installation. This is set in position by an Allen set screw.

To operate the burner, the oil is turned on full for about three minutes, then the valve is closed. This permits the oil to enter the combustion chamber and saturate the wicks which are then ignited by means of a taper. The oil burns and heats the cylinders, and at the end of 7 to 10 minutes, the oil valve is then opened and the flame adjusted.

It was recognized that in these burners there were inherent possible hazards due to location and operation and in recommending these burners for approval, it is suggested that certain recommendations be carried out in their installation and incorporated in the instruction card which must be placed near the burner.

As this burner complies with the Oil Burner Rules adopted by the Board of Standards and Appeals, June 15, 1934, it is recommended that same be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Kolrid Range Oil Burner *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals, also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by a shield of at least 1/2-in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outlets of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS

UNDER CAL. NO. 48-34-SA.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

192-34-SA.

PETITIONER—Preferred Utilities Mfg. Corp., owner.

SUBJECT—Preferred Type B Anti-Syphon Valve, approval of.

APPEARANCES—

For Petitioner: Arthur S. Keller.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(192-34-SA)

WHEREAS, the Preferred Utilities Mfg. Corp., owner, filed July 2, 1934, a petition with the Board of Standards and Appeals for approval of their device known as the Preferred Type B Anti-Syphon Valve for use in oil burner installations; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineers of the board and of the representatives of the bureau of combustibles approved by the acting deputy chief in charge of the bureau, reads substantially as follows:

On September 21, 1934, Mr. John F. Dixon, acting chief inspector, and Mr. Charles E. Johnson, assistant inspector of combustibles, and Mr. L. V. Huber, chief engineer, Board of Standards and Appeals, visited the premises—33 West 60th street, for the purpose of testing the Preferred Anti-Siphon Valve—Type B.

The valve consists of a heavy bronze shell and cover which is screwed on to the valve proper, and then permanently sealed with an Allen Set Screw so that the top cannot readily be removed. The valve in the Preferred Anti-Syphon Valve is seated by a lead

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weight which always exerts an even pressure. There are no springs or adjusting screws. When the pump is operated the suction created lifts the valve seat and permits a flow of oil to the pump. If, however, a break occurs in the suction line to the pump, the weighted valve stem seats itself and prevents any further flow of oil.

The operation was amply demonstrated in the following manner: The valve was located on the suction line of the pump 9½ ft. above the suction side. The pet cock had been installed about 2 in. above suction side of the pump. The pump was started—when the oil was flowing this petcock was opened. The valve seated itself, and the only oil which leaked out was that which was in the line between the pump and the valve.

It is recommended that this valve be approved, when installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals *does* hereby *approve* the Preferred Type B Anti-Syphon Valve for use in oil burner installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

237-34-SA.

PETITIONER—Holland Furnace Co., owner.

SUBJECT—Holland Type "F" Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(237-34-SA)

WHEREAS, the Holland Furnace Co., owner, filed August 15, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Holland Type "F" Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On October 4, 1934, Mr. John Dixon, acting chief inspector and Mr. Charles Johnson, assistant inspector of combustibles, and Mr. Leslie V. Huber, chief engineer Board of Standards and Appeals, visited premises 1169 Jefferson avenue, Brooklyn, for the purpose of examining and testing the above mentioned oil burner.

This oil burner is of the spinning cup horizontal rotary type and consists of the following parts and controls: A Holland motor of 1-20th horsepower and a Holland strainer, the spinning cup atomizing the oil. The atomizing cup has fan blades on the outside, the air drawn into the atomizer serving also to cool the motor.

Ignition—Either electric or gas. At this particular installation a gas pilot was used.

Controls—A Minneapolis-Honeywell Protectorelay type R-117-3—Magnet solenoid valve and Minneapolis-Honeywell furnacestat type FS-1.

The burner was operated with the fuel oil supply shut off and the controls shut the burner down on two tests in 90 and 92 seconds respectively. The burner was then put into normal and operated for the period

of about one-half hour and during this time the flame was clear of smoke and soot. There were no puff-backs due to faulty ignition. Examination of the combustion chamber showed it to be free of carbon deposits.

At this particular installation the burner was used in connection with a warm air furnace. When this burner is used as a steam boiler a Minneapolis Pressurestat is used.

As a result of this test and inspection, it is recommended that the Holland Type "F" Oil Burner be approved for domestic and commercial use when installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Holland Type "F" Oil Burner, for use in domestic and commercial installations when used with oil not heavier than No. 3 and when installed in accordance with above report and Oil Burner Rules of the Board of Standards and Appeals *on condition* that there shall be permanently attached to each burner installed, a label reading:

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS

UNDER CAL. NO. 237-34-SA.

196-34-SA.

PETITIONER—W. B. Smith Whaley, Jr., owner.

SUBJECT—Smith-Whaley Range Oil Burner, Models SW-1 and SW-2—approval of.

APPEARANCES—

For Petitioner: W. B. Smith Whaley, Jr.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(196-34-SA)

WHEREAS, W. B. Smith Whaley Jr., owner, filed July 3, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Smith-Whaley Range Oil Burner, Models SW-1 and SW-2; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

These burners consist of a stand securely bolted to the floor holding a two gallon glass bottle. The bottle is protected by a perforated metal jacket, which has two hand grips on it. The burning device consists of an iron casting having walls ¾ of an inch high. In this iron casting are set perforated steel cylinders. Between the outer two and the inner two cylinders there is a ½-inch asbestos wick. Each one of these units is individually supported by separate iron stand which is securely bolted to the ash pit of the range. The regulating valves used on these burners are manufactured by the Hartford Machine Screw Company. Extra heavy 5/16 of an inch copper tubing connects the oil supply to the burners.

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The front burner in the stove was operated at full capacity for about 20 minutes. At the expiration of this time the oil supply to the rear burner was fully turned on. There was no resulting explosion or puff, and after a period of about 5 minutes, the second burner ignited quietly. We poured approximately $\frac{1}{2}$ glass full of water into one of the burners. All this did was to first cause a little smoke and then reduce the flame.

It was recognized that in these burners, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, we recommend that the same be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Smith-Whaley Range Oil Burner, Models SW-1 and SW-2 *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage container shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by a shield of at least $\frac{1}{2}$ -inch asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outlets of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS

UNDER CAL. NO. 196-34-SA.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

Resolved further, that this burner may also be marketed under the name of Biltwell Range Oil Burner, Models B-1 and B-2, *on condition* that the conditions as listed above are complied with.

250-34-SA.

PETITIONER—J. W. Hirsch, agent for Automatic Burner Corporation, owner.

SUBJECT—A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6 and AS-9 and A-3798 Water Heater Assembly—approval of.

APPEARANCES—

For Petitioner: J. W. Hirsch.

ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(250-34-SA)

WHEREAS, J. W. Hirsch, agent for Automatic Burner Corp., owner, filed August 28, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6 and AS-9 and A-3798 Water Heater Assembly; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On October 4th, Mr. John Dixon, acting chief inspector and Mr. Charles Johnson, assistant inspector of combustibles, and Mr. Leslie V. Huber, chief engineer Board of Standards and Appeals, visited the premises No. 1851 Eastern parkway, Borough of Brooklyn, for the purpose of inspecting the above mentioned oil burners. Present at the inspection was Mr. J. W. Hirsch of the Automatic Burner Corporation.

The Model A-3798 is a 40 gallon, hot-water boiler, equipped with a SA-9 burner unit. The burner unit consists of a pressed steel base having concentric rings in it and supporting four (4) cylinders $5\frac{1}{8}$ in. in height. These cylinders consist of 21 per cent. chrome steel. The walls of the base are $\frac{3}{4}$ in. in height.

Controls: A thermostatic spiral inserted into the boiler, connected to a Detroit Lubricator Constant Lever Valve.

Ignition: Oil or gas pilot light provided.

The burner was put into operation for a period of about 45 minutes. During this time the operation of the Constant Lever Valve was tested and at no time could an abnormal supply of oil enter the burner.

RANGE BURNERS.

Types of Models AS-4, AS-6, AD-6 and AS-9.

These type range burners, with the exception of the AD-6, are single units consisting of pressed steel bases having concentric rings into which are fitted perforated cylinders $5\frac{1}{8}$ in. in height. The AS-4 has only 2 cylinders; the remaining models have four (4), one inside the other; the Model AD-6, which has a double burner unit, was installed in an ordinary cooking range. The first burner unit was ignited and allowed to operate at full capacity for approximately twenty minutes. The second unit then had its oil supply turned on full. After about six minutes the oil in second unit ignited without any explosion or puff-back. The tubing used was $\frac{3}{8}$ in. in diameter, extra heavy. The supply for the burners was from a two-gallon bottle mounted upon a metal stand. The reservoir of the stand was amply large enough to permit any expansion of oil due to heat. The bottle was securely

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fastened to a rod on the stand by means of a heavy metal clip. The regulating valves used are manufactured by the Automatic Burner Corporation and are the V-slot type supported by means of a metal stand.

As a result of the inspection and test on the Model A-3798 we recommend that this burner hot-water unit be approved when installed in accordance with the Fuel Oil Burner Rules.

It was recognized that in these burners, Models AS-4, AS-6, AD-6 and AS-9, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals on June 15, 1934, we recommend that the same be approved.

and

WHEREAS, this burner has been approved by the Underwriters Laboratories, Guide No. 300-10-19, File M.P. 736.

Resolved, that the Board of Standards and Appeals does hereby *approve* the A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6 and AS-9 and A-3798 Water Heater Assembly *on condition* that the devices shall comply with the Oil Burner Rules of the Board of Standards and Appeals, also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustion chamber and others parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by a shield of at least ½-in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outlets of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 250-34-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

Adjourned, 4:00 p. m.

EDWARD V. BARTON, Chief Clerk.

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS

A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly.....	250-34-SA	Fox Range Oil Burner.....	200-34-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	Kolrid Range Burner.....	48-34-SA
Florence Range Burners.....	219-34-SA	Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
		Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Maxon Oil Burner (New Style).....	1036-22-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	May Oil Burner.....	68-24-SA
Auto-Heat Oil Burner.....	284-33-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1.....	359-33-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil High Pressure Burner.....	185-29-SA
Berggren Oil Burner.....	764-26-SA	National Airoil Low Pressure Burner.....	186-29-SA
Best Calorex Burner.....	1464-21-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Bock Oil Burning Water Heater.....	102-34-SA	North American Low Pressure Oil Burner...	792-26-SA
Brighton Oil Burner	372-33-SA	Oilbilt Burner.....	85-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Oronoke Oil Burner.....	394-30-SA
Burnwell Mechanical Burner.....	957-22-SA	Packard Fuel Oil Burner.....	77-34-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Carter Oil Burner, Models 4X and 5X.....	117-34-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Petro Model W Oil Burner.....	452-31-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
D'Elia Oil Burner.....	155-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
DeWalt Oil Burner.....	541-31-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Doe Oil Burner.....	317-31-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enco Mechanical Oil Burner.....	509-30-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Forsdraft Oil Burner	41-34-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Frankfort Type P Oil Burner.....	1046-23-SA	S. K. Oil Burner, Model F.....	369-33-SA
Gem Fuel Oil Burner.....	111-26-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Ghapco Steam Generator.....	348-31-SA	Standardyne Oil Burner.....	34-34-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Steam Oil Burner.....	183-22-SA
Gold Star Oil Burner, Models F and S....	166-33-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Sun Heat Oil Burner.....	603-29-SA
Grant Oil Burner, Model "C".....	232-32-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sunway Oil Burner.....	624-30-SA
Hammond Oil Burner.....	72-31-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Harris Fuel Oil Burner.....	690-30-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hart Oil Burner, Model "H".....	221-33-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Timken Rotary Oil Burner.....	297-29-SA
Hayward Oil Burner.....	696-30-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Hobeco Oil Burner.....	1278-21-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Holby Oil Burner.....	328-27-SA	Todd Spiro Oil Burner.....	470-31-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Spiro Burner (pump type).....	94-32-SA
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Todd Steam Atomizing Fuel Oil Burner.....	123-23-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Kelvinator Oil Burner, Model K.....	105-34-SA	Vaporoil Burner	44-32-SA
Kreager Oil Burner.....	367-30-SA	Warner Oil Burner, Model A.....	16-34-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Wheco Oil Burner.....	108-34-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Liberty Automatic Heater.....	129-28-SA	Wizard Automatic Oil Burner.....	181-33-SA
Liberty Pressure Oil Burner.....	75-34-SA	Yorktown Oil Burner.....	166-33-SA
Lientz Oil Burner.....	155-20-SA		
Lonergan Automatic Oil Burner.....	208-33-SA		
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Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		

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Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	48
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total	984	Requests for extension of permit granted.....	12
Disposed of	793	Requests for extension of permit denied.....	0
Cases pending October 17, 1934.....	191	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	13
		Total.....	793

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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OCTOBER 30, 1934

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No. 44

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, October 23, 1934, at 10 A. M.

Minutes of Regular Meeting, October 23, 1934, at 2 P. M.

Corrections.

Approved Range Oil Burners.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, October 29, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, November 5, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to October 24, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
299-34-BZ.....	D.B.Bx....	East Side Sedgwick Ave., 795 ft. south of West 167th st. (Block 2527, part of Lot 88), The Bronx. N.B. 241-1934.
298-34-A.....	B.B.....	251-255 Bowery (Block 427, Lot 4), Manhattan. Appeal Applic. 141-1934 and Alt. 1244-1934.
297-34-BZ.....	D.B.B.....	2705-2715 Nostrand ave., East Side, 360 ft. north of Ave. N (Block 7666, Lot 25), Brooklyn. Applic. 11734-1934.
296-34-BZ.....	D.B.Bx....	50-78 East Mount Eden ave. and 1514-1518 Townsend ave., South Side, from Townsend ave. to Walton ave. (Block 2845, Lots 34 and 56), The Bronx. Alt. 486-1934.
295-34S.....	D.B.B.....	44-46 Crown st. (front) and 42-48 Crown st. (rear) and 916 Franklin ave. (rear); (Block 1190, Lot 30), Brooklyn. 0382-LD.
294-34-SA.....	F.D.....	Prestomatic Oil Burner, Appliance.
293-34-A.....	D.B.B.....	6501-6505 Bay pkway. and 2202-2212 65th st., southeast corner (Block 6578, Lot 3), Brooklyn. Revocation of Permit No. 7532-34.

Restored to Calendar.

765-26-SA.....	F.D.....	Marr Oil Burner, Model H, Type "R", Appliance.
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

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Elevator Rules.....	July 3, 1934—Vol. 19 No. 27
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Refrigerating Systems, Extract C. O. Feb.	13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for.....	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules.....	Jan. 16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules.....	Oct. 16, 1934—Vol. 19 No. 42
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CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 29, 1934, AT 2 P. M.

Building Zone Cases.

191-34-BZ.	APPLICANT—Croker Fire Prevention Corporation, for The Hermitage Corp., owner. PREMISES—2087 Boston road, west side, 100 ft. south of east 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx. APPLICATION, under section 21 of the building zone resolution, TO PERMIT partly in a business district and partly in a residence district the use of a plot of ground as a parking space for more than five motor vehicles.
207-34-BZ.	APPLICANT—Herman Kron, for Anna Shattan, owner. PREMISES—Northeast corner of Steuben street and Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond. APPLICATION, under section 21 of the building zone resolution, TO PERMIT in a business district the erection and maintenance of a gasoline service station.
460-26-BZ.	APPLICANT—Thomas W. Lamb, Inc., for Brooklyn Ridgewood Corp., present owner. PREMISES—4921-4923 Fifth avenue, 514-534 49th street and 513-533 50th street (Block No. 784, Lot No. 2), Borough of Brooklyn. APPLICATION, under sections 7c and 21 of the building zone resolution (reopened September 11, 1934). TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a building to be used as a theatre (previously granted by the board, and time to complete building has expired).

OCTOBER 30, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 30, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 29-34-BZ—Application, February 2, 1934, under section 21 of the building zone resolu-

CALENDAR

tion, of Norman L. Adolf, applicant, on behalf of Rose Metchik, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

CAL. NO. 1058-24-BZ—Application of Max Klein, on behalf of Max Tharler, owner, reopened May 29, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop; premises east side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), Borough of The Bronx.

CAL. NO. 227-34-BZ—Application, August 6, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Jacob Morgenthaler Sons, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Queens boulevard and 51st avenue (Block No. 2472, Lot No. 9), Elmhurst, Borough of Queens.

CAL. NO. 109-34-BZ—Application, April 21, 1934, under section 21 of the building zone resolution, of Jacob Lubroth, applicant, on behalf of Louis Greenstein, owner, to permit in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop; premises southwest corner of Myrtle avenue and Cypress Hills street (Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

CAL. NO. 179-34-BZ—Application, June 21, 1934, under section 21 of the building zone resolution of Hugo E. Magnuson, applicant, on behalf of Estate of Maria K. Gray, owner, to permit in a residence district the erection and maintenance of a business building (stores); premises southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 30, 1934, 2 P. M.

Appeals from Administrative Orders.

293-34-A—Southeast corner Bay parkway and 65th street (Block No. 6578, Lot No. 3), Brooklyn.

260-34-A—1491 Lexington avenue, northeast corner of East 96th street (Block No. 1624, Lot No. 20), Manhattan.

277-34-A—109-113 West 45th street (Block No. 998, Lot No. 26), Manhattan.

Appliances Submitted for Approval.

765-26-SA—Marr Oil Burner, Model H, Type "R".

294-34-SA—Prestomatic Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 30, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the Board:*

CAL. NO. 126-34-BZ—Application, May 9, 1934, under section 21 of the building zone resolution, of Philip Schneider, applicant, on behalf of Sarah Feinman, owner, to permit in a business district the maintenance of a motor vehicle repair shop; premises 609 Snediker avenue (Block No. 3851, Lot No. 1), Borough of Brooklyn.

CAL. NO. 556-26-BZ—Application of John F. Meehan, for Avoncel Realty Co., owner, reopened June 19, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; a previous application on these premises to permit the erection and maintenance of more than five (5) individual garages and also a gasoline service station was denied by the west corner (Block No. 2152, part of Lot Nos. 82, 83, 84 and 85), Manhattan.

CAL. NO. 212-34-BZ—Application, July 19, 1934, under section 21 of the building zone resolution, of Louis A. Brown, substituted for Bailey & Ferrara, applicant, on behalf of Mabel O. Parker, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn.

CAL. NO. 222-34-BZ—Application, August 2, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Meyer Werman, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southeast corner of Little Neck parkway and Hillside avenue (Block No. 4523, part of Lot No. 51), Floral Park, Borough of Queens.

CAL. NO. 223-34-BZ—Application, August 3, 1934, under section 21 of the building zone resolution, of Kennedy & Ellner, applicants, on behalf of Albert V. Leudermann, Lillian B. Leudermann and Lena Wenner, owners, to permit partly in a business

CALENDAR

district and partly in a residence district the erection and maintenance of a gasoline service station; premises northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot No. 1), Bayside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 5, 1934, AT 2 P. M.

Building Zone Cases.

339-33-BZ.

APPLICANT—Samuels and Samuels, for Otnas Realty, Inc., owner.

PREMISES—14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened July 17, 1934),

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn).

242-34-BZ.

APPLICANT—John Pross, for Jalccc Realty Corp., owner.

PREMISES—787-795 Empire boulevard, north side, 260 ft. east of Troy avenue (Block No. 1423, Lot Nos. 41 and 43), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a garage for more than five motor vehicles.

261-34-BZ.

APPLICANT—Wood & Marshall, for Samuel H. Baylis and Sheldon F. Baylis, owners.

PREMISES—93-28 New York avenue, west side, 25 ft. south of L. I. R. R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles.

272-34-BZ.

APPLICANT—Benjamin Millstein, for John J. Tully, owner.

PREMISES—901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

NOVEMBER 7, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 7, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 195-34-BZ—Application, July 2, 1934, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Hattie M. Marks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

CAL. NO. 230-34-BZ—Application, August 9, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of William F. Clark, owner, to permit in a business district the maintenance of an existing motor vehicle repair shop; premises 303-305 4th avenue, southeast corner of 2nd street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

CAL. NO. 227-20-BZ—Application of Samuel Rosenblum, on behalf of Goble Jerome Co., Inc., present owner, reopened September 18, 1934, for amendment of resolution to permit the inclusion of a gasoline service station—re Application, granted under sections 7c and 21 of the building zone resolution, permitting in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles, to be used in part for a gasoline service station; premises 1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

CAL. NO. 211-34-BZ—Application, July 19, 1934, under section 21 of the building zone resolution, of Abraham M. Bakerman, applicant, on behalf of Rebecca Bakerman and Sadie Cooper, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx.

CAL. NO. 214-34-BZ—Application, July 23, 1934, under section 21 of the building zone resolution, of Benjamin N. Brody, applicant, on behalf of Peter Schwartz, owner, to permit in a business district the change of occupancy of an existing building to a junk shop; premises 412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 7, 1934, 2 P. M.

Appeals from Administrative Orders.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

259-34-A—141-145 West 36th street (Block No. 812, Lot No. 16), Manhattan.

CALENDAR

NOVEMBER 13, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 13, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 215-34-BZ—Application, July 23, 1934, under section 21 of the building zone resolution, of Leonard J. Tompkins, applicant, on behalf of Jamaica Savings Banks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Merrick road and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

CAL. NO. 238-34-BZ—Application, August 15, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of David F. Walsh, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

TUESDAY, NOVEMBER 13, 1934, AT 2 P. M.

Building Zone Cases.

5-34-BZ.

APPLICANT—Joseph A. Gelbmann, for Elsie S. Domville, owner.

PREMISES—15 East 61st street (Block No. 1376, Lot No. 12), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution (reopened September 18, 1934).

TO PERMIT in a residence district the change of occupancy of an existing building from residence use to business use (previously withdrawn).

254-34-BZ.

APPLICANT—A. P. Sorice, Jr., for Mildred Gerrato, owner.

PREMISES—South side of 91st avenue, 179 ft. west of 169th street (Block No. 885, Lot No. 39), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing garage for more than five motor vehicles.

258-34-BZ.

APPLICANT—J. M. Felson, for 2230 Grand Concourse Corp., owner.

PREMISES—Northeast corner of East 182nd street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a building to be used in part for business purposes (stores).

500-28-BZ.

APPLICANT—William Shary, for Charles Zenker, present owner.

PREMISES—2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened October 2, 1934).

TO PERMIT partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

NOVEMBER 20, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 20, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); (reopened to calendar October 23, 1934); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, OCTOBER 23, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, October 16, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, October 16, 1934, were approved as printed in Bulletin No. 43, Vol. XIX.

BUILDING ZONE CASES.

212-34-BZ.

APPLICANT—Louis A. Brown, substituted for Bailey & Ferrara, for Mabel O. Parker, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis A. Brown, Mrs. Mabel O. Parker and Thomas F. Ferrara.

For Opposition: None.

ACTION OF BOARD—Laid over to October 30, 1934, at 2 p. m., for report of committee on inspection. No further argument.

222-34-BZ.

APPLICANT—Samuels & Samuels, for Meyer Werman, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Little Neck parkway and Hillside avenue (Block No. 4523, part of Lot No. 51), Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: None.

ACTION OF BOARD—Laid over to October 30, 1934, at 2 p. m., for report of committee on inspection. No further argument.

223-34-BZ.

APPLICANT—Kennedy & Ellner, for Albert V. Leudermann, Lillian B. Leudermann and Lena Wenner, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy and Mr. Leventhal.

For Opposition: Thomas J. Callan and George P. Ames.

ACTION OF BOARD—Laid over to October 30, 1934, at 2 p. m., for report of committee on inspection. No further argument.

206-34-BZ.

APPLICANT—Clelia D'Alessandro, for Mary Picerno, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Jewett avenue and Castleton avenue (Block No. 1026, Lot No. 47), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Clelia D'Alessandro.

For Opposition: L. C. Squire for the Dept. of Parks and H. E. Gibbs for Borough President of Richmond.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(206-34-BZ)

WHEREAS, Clelia D'Alessandro, for Mary Picerno, owner, filed July 11, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: southwest corner of Jewett avenue and Castleton avenue (Block No. 1026, Lot No. 47), Port Richmond, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Castleton avenue is in a business and unrestricted district; Jewett avenue is in a business district and Simonson place is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 25, 1934, reads:

"Your application N.B. No. 155/34 to erect a gas station at premises southwest corner Jewett and Castleton avenues, Port Richmond, Borough of Richmond, is hereby disapproved, it being contrary to the zoning resolution to erect a gasoline selling station in a business zone."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 149 ft. on Castleton avenue and 20 ft. on Jewett avenue—upon which it is proposed to erect a one-story office and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, a committee of the board inspected the property under appeal on October 11, 1934, prior to the hearing; and

WHEREAS, the board deemed that the applicant is not entitled to relief under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed and that the application be and it hereby is denied.

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193-34-BZ.

APPLICANT—Edward Winter (lessee), for Henry Ruttenberg, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7f and 21 of the building zone resolution, to permit in a residence district an office and parking space for more than five motor vehicles.

PREMISES AFFECTED—Northeast corner of Watjean court and Fernside avenue (Block No. 271, Lot Nos. 1 and 38), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Samuel S. Winter and Edward Winter.

For Opposition: Benjamin Kronenberg, Max Finkelstein, Harma B. Greene, Yetta Zucker- man, Milton Lovenfish and Louis Levitan.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(193-34-BZ)

WHEREAS, Edward Winter (lessee) for Henry Ruttenberg, owner, filed July 2, 1934, an application under the building zone resolution to permit in a residence district an office and parking space for more than five motor vehicles; premises: northeast corner of Watjean court and Fernside avenue (Block No. 271, Lot Nos. 1 and 38), Far Rockaway, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular

meeting, October 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ferndale avenue is in a residence district; Watjean court is in a residence district and Sea Girt avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 22, 1934, reads:

"Responding to your communication of recent date requesting Certificate of Occupancy to cover parking space at the northeast corner of Watjean court and Fernside avenue, Borough of Queens, your request is hereby denied, as these premises are situated in a RESIDENCE DISTRICT."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 180 ft. on Ferndale avenue and 115 ft. on Watjean court; on which it is proposed to erect an office of frame construction one story in height 8 ft. by 8 ft. in area and to occupy the premises as a parking space for more than five motor vehicles; and

WHEREAS, a committee of the board inspected the property under appeal on October 11, 1934, prior to the hearing; and

WHEREAS, the board deems that the applicant failed to establish the necessity for a variation of the building zone resolution under the provisions either of section 7f or section 21 of said resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed and that the application be and it hereby is denied.

Adjourned, 1:00 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 23, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

378-33-BZ.

APPLICANT—Rubenstein and Rosling, for Kings Brewery, Inc., owner.

SUBJECT—Application for restoration to the calendar, having been previously placed on the Reserve Calendar—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building).

PREMISES AFFECTED—225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Rosling.

ACTION OF BOARD—Application restored to calendar set for hearing November 20, 1934, at 2 p. m.

THE VOTE TO RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
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Negative	0
Absent	0

301-31-BZ.

APPLICANT—William Shary, for Harold S. Burnham, owner.

SUBJECT—Request for reopening—extension of time—re (decision of the Superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1238-1254 McDonald (Gravesend) avenue, west side, 180 ft. south of Avenue J (Block No. 5483, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard W. Ahern.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

161-30-BZ.

APPLICANT—Alfred J. Parsons, for Elsie Parsons, owner.

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SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn; reopened and restored to calendar April 24, 1934).

PREMISES AFFECTED—Southeast corner of Astoria avenue and 42d street (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred J. Parsons.

For Opposition: Thomas J. Diviney.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION

(161-30-BZ)

WHEREAS, Alfred J. Parsons, for Elsie Parsons, owner, filed March 6, 1930, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: southeast corner of 42d street and Astoria avenue (Block No. 688, Lot 14), Long Island City, Borough of Queens; and

WHEREAS, this application was withdrawn September 23, 1930, and reopened and restored to Calendar April 24, 1934; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 23, 1934, after due notice by publication in the Bulletin of the Board of Standard and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Astoria avenue is business and unrestricted; 42d street is residence, business and unrestricted; 43d street is residence, business and unrestricted; and

WHEREAS, the decision of the commissioner of buildings, rendered May 15, 1934, re Plan No. N.B. 747-1934, reads:

"The erection of a gasoline service station in a business district is contrary to article 2, section 4, subdivision 46 of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 45 ft. on Astoria avenue and 82 ft. on 42d street, upon which it is proposed to erect a one-story office 12 ft. by 24 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No. 161-30-BZ

Premises: Southeast corner of 42d street and Astoria avenue (Block No. 688, Lot No. 14), Long Island City, Borough of Queens.

This is an application for a zoning variance under section 21 for permission to erect and maintain a gasoline service station on the southeast corner of 42d street and Astoria avenue, Long Island City. The plot has a frontage of 45 ft. on Astoria avenue and a depth of 82 ft. The area is zoned for business along this side of Astoria avenue with a residence district adjoining to the south.

The application was filed in 1930 and withdrawn prior to a hearing, restored in April of this year and heard on September 11th. It was inspected by a committee of the board on September 20th and again on October 11th at the time the committee inspected the

plot in the adjoining block on which a gasoline station is also desired under Calendar No. 168-34-BZ.

Next east of this plot is a New York City fire engine house. The objectors are owners of property along Astoria avenue and in the adjoining residential district. No consents have been filed.

Since the appeal was originally filed, the widening of Astoria avenue has been undertaken, and the additional width required has been taken from the opposite side. The plans call for an underpass directly in front of this plot and the roadway at grade will be approximately 38 ft. wide. This condition will materially interfere with the operation of the fire apparatus from the fire house next east. Owing to these improvements it is too soon to determine the best use to which this plot can be put, but the committee is of the opinion that it is not a proper site for a gasoline station, and that no hardship within the meaning of the zoning resolution has been shown to justify the granting of the proposed non-conforming use. In the committee's opinion, it will be possible to put this plot to a conforming use, contrary to the opinion expressed in letters filed by realtors who have apparently taken no account of the effect of the widening of Astoria avenue and the construction of Triborough Bridge, together with the effect of the rezoning of this area now before the Board of Estimate and Apportionment.

The committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

262-32-BZ.

APPLICANT—Edward J. Walsh and Mary Walsh, owners.

SUBJECT—Application reopened September 11, 1934, under section 7f of the building zone resolution (re decision of the Superintendent of buildings) for consideration of extension of permit—re Application, permitting in a business district the erection and maintenance of a gasoline service station for a temporary period of two (2) years.

PREMISES AFFECTED—Southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Edward J. Walsh.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(262-32-BZ)

WHEREAS, Edward J. Walsh, for Edward J. Walsh and Mary Walsh owners, filed May 13, 1932, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service

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station; premises: southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond; and

WHEREAS, this application was granted September 23, 1932, under section 7-F for a temporary period of 2 years and applicant requested an extension of this period and the case was reopened September 11, 1934; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Wyona avenue, Willowbrook road and Victory boulevard are all in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 25, 1932, reads:

"Your application N.B. Plan 254/32 filed April 8, 1932, for a gasoline station on the south side of Wyona avenue, southwest corner of Willowbrook road, Borough of Richmond, is hereby disapproved for the reason that it is contrary to the zoning resolution to erect a gasoline gasoline filling station in a business use district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 56.3 ft. on Wyona avenue and 100.5 ft. on Willowbrook road, upon which is erected a one-story office, 14 ft. by 20 ft. in area, grease racks and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the board deemed, after a committee had inspected the property on October 11, 1934, that the applicant was entitled to a further extension of time for two years, under section 7-F of the building zone resolution.

Resolved, that the resolution adopted by the board on September 23, 1932, be and it hereby is *amended*, so that as amended the resolution will read:

Granted under section 7-F for a temporary period of two years, from the date of this amended resolution *on condition* that the resolution adopted September 23, 1932, be complied with in all other respects.

168-34-BZ.

APPLICANT—Philip Schmeizer for Ida M. Melton, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—South side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Ida M. Melton, Philip Schmeizer, Frank E. Melton and M. D. Nissenbaum.

For Opposition: Joseph J. Ball.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION

(168-34-BZ)

WHEREAS, Philip Schmeizer, for Ida M. Melton, owner, filed June 19, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: south side Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Astoria boulevard is business; 41st street is residence, business and unrestricted; 42d street is residence and business; and

WHEREAS, the decision of the commissioner of buildings, rendered June 4, 1934, re Plan No. 870 reads:

"1. The erection of a gasoline service station in a business district is contrary to article 2, section 4, subdivision 46 of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 85 ft. and a maximum depth of 95 ft. upon which it is proposed to erect a one-story structure 60 ft. by 40 ft. in area to be used as salesroom and grease pits and also to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No. 168-34-BZ

Premises: South side of Astoria avenue, 63 ft. east of 41st street (Block No. 687, Lot No. 14), Astoria, Borough of Queens.

A committee of the board inspected this plot under appeal for a gasoline service station under section 21, on October 11, 1934, in conjunction with the appeal brought under Calendar No. 161-30-BZ, for a gasoline station on the corner of the next block east. The plot under appeal is in the middle of the block with a frontage of 85 ft. and of irregular depth, averaging approximately 90 ft. It is in a business area on the south side of Astoria boulevard which is now in process of widening to about 300 ft. and is between 41st and 42d streets. The area adjoining to the south is zoned for residence use and is well built up. There are no consents filed and the objections are among owners of property along Astoria boulevard and in the adjacent residential area.

The applicant is a former lessee of a gasoline station several blocks to the west on the opposite side of Astoria boulevard, which station has been demolished because of the widening and he seeks a variation of the zoning to permit him to construct a gasoline station on this plot to retain his business. Whatever hardship there is, is the personal hardship of this tenant in trying to locate another site, and no hardship within the meaning of the zoning resolution has been shown or proven to show that the owner cannot use this plot for conforming uses.

The improvements to Astoria boulevard as a main approach artery to Triborough Bridge together with the underpass opposite this plot leaving the roadway in front of this plot approximately 38 feet in width are likely to cause changes to this area as may also the zoning changes now before the Board of Estimate and Apportionment. Until the effects of these changes have manifested themselves it is too soon to give this plot over to non-conforming uses to the detriment of adjoining owners who protest against the variance.

Where Astoria boulevard widening has progressed more than it has at this location namely toward Northern boulevard, owners have already constructed new business buildings, anticipating the improved conditions expected from the widened boulevard and the new bridge.

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The proposed zoning provides for unrestricted areas near this plot and closer to the overhead tracks of the connecting railroad which are intended for non-conforming uses and this applicant should seek a site in that area.

In the opinion of the committee this site will be available for conforming uses and that this non-conforming use should not be permitted and recommend denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the superintendent of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

168-28-BZ.

APPLICANT—John Kochendorfer, for Adelaide F. Garbade, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened June 12, 1934).

PREMISES AFFECTED—Northwest corner of Kissena boulevard and North Hempstead turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: John Kochendorfer.
For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(168-28-BZ)

WHEREAS, John Kochendorfer, for Adelaide F. Garbade, owner, filed February 25, 1928, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: northwest corner Kissena boulevard and North Hempstead turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, this application was dismissed for lack of prosecutions July 24, 1928, reopened by vote of the board June 12, 1934, and restored to Calendar; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that North Hempstead turnpike is in business and residence districts; Kissena boulevard is in business and residence districts and 58th avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 25, 1934 (re Plan No. 903/34 NB), reads:

"1. The erection of a gasoline service station within a business district is contrary to section 3, subdivision 46 of the building zone resolution.

"Not further examined."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 113 ft. on North Hempstead turnpike and 100 ft. on Kissena boulevard, upon which it is proposed to erect a one-story office and grease pit structure 26 ft. by 25 ft. in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No. 168-28-BZ

Premises: Northwest corner Kissena boulevard and North Hempstead turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

This application is for a zoning variance brought under section 21, to permit a gasoline service station on the northwest corner of Kissena boulevard and North Hempstead turnpike, Flushing, opposite Kissena park. The plot is zoned for business use as is the frontage generally along these avenues for a depth of 100 ft., except the park frontage which extends for a long distance and the North Hempstead turnpike frontage easterly from Kissena boulevard.

Owing to the construction of Nassau boulevard or Horace Harding boulevard several blocks to the south, North Hempstead turnpike is far less important as a through artery than formerly. Kissena boulevard is a very important through artery from Flushing to Jamaica.

This case was originally filed in 1928 by a former owner but dismissed without hearing for lack of prosecution and reopened by this present owner in June 1934. This owner explains that the former owner did not prosecute the appeal because he lost the property through foreclosure and it was acquired by this present owner as holder of the mortgage foreclosed. The property is assessed for \$6,000 and mortgages on it total \$5,250, so that the equity of this owner is relatively small. It is stated that a private restriction against gasoline stations was lifted in 1931; that the lot is vacant; that it is below street grade or filled in; no sewers are available and no transportation.

An inspection by a committee of the board on October 4, 1934, indicates that the improvements to Kissena park are being carried on extensively; that this lot is higher than street grade with good gravel surface and that sewer is available and indicated by presence of a manhole cover directly in front of the property. In the immediate vicinity, no houses are erected but there are many within a few blocks and several gasoline stations to the north toward Flushing and also to the south at Nassau boulevard. It certainly cannot be claimed that more are needed. There have been numerous appeals before the board for plots nearby. The opposite corner diagonally was denied under Calendar No. 628-28-BZ. A block to the north one was denied under Calendar No. 1059-26-BZ, and one short block further north under Calendar No. 321-33-BZ. This latter case is being reviewed by the Court and the committee recommends that this decision should be awaited before introducing non-conforming uses in this section of Kissena boulevard in an area giving promise of retaining conforming use largely because of the park improvement. The park commissioner opposes this variation as does the owner of the vacant block opposite diagonally on the corner of which the gasoline station permit was denied under Calendar

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No. 628-28-BZ. Two owners of vacant land adjoining have filed consents.

This property has apparently been held for its future speculative value and the depression has interfered with the possibilities of sale and development. But, as the Appellate Division, Second Department, said in matter of N. Y. & Richmond Gas Co. v. Connell et al:

"Present economic conditions, which are practically universal, do not justify a nullification of the zoning laws where the showing is that if nullified by permitting such non-conforming uses as here proposed, the owner can obtain a better return than by a compliance with the zoning law."

As stated at the hearing, the husband of this owner wishes to operate this gasoline station as a means of employment. Worthy as this desire may be, the committee is of the opinion that in line with the Court decision above quoted, absence of proof that the plot cannot be put to a conforming use, denial by the board of several cases nearby the decision by the Court on one of which is awaited, and no existing non-conforming uses along this portion of Kissena boulevard bounding the park, this appeal should be denied and so recommends.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

307-33-BZ.

APPLICANT—H. E. Horwood, for 1758 Coney Island Avenue Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop, brake testing, automobile laundry and greasing for a period of five years. Reopened September 18, 1934, for amendment to include gasoline service station.

PREMISES AFFECTED—1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman E. Horwood.

For Opposition: Harry Radman, J. Held and Robert Oberman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(307-33-BZ)

WHEREAS, H. E. Horwood, substituted for M. Joseph Harrison, for 1758 Coney Island Avenue Realty Co., Inc., owner, requested a reopening of this application filed September 22, 1933, under the building zone resolution to permit in a business district the alteration and change of occupancy of an existing building to a motor vehicle re-

pair shop and also the inclusion of a gasoline service station; premises: 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn; and

WHEREAS, this application was granted as to the repair shop for a temporary period January 23, 1934, and the request for reopening was for the reconsideration of the matter of the gasoline station on new facts submitted and this application was reopened September 18, 1934; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 23, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Coney Island avenue is in a business district; East 10th street and Avenue N are in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 8, 1933, re App. No. 8386-1933, reads:

"Proposed change of occupancy to include a motor vehicle repair shop and a gasoline service station in a business use district is contrary to article 2, section 4a, sub-sections 29 and 46 of zone resolution."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 80 ft. and a depth of 100 ft.; occupied for a temporary period of five years as a motor vehicle repair shop; it is now proposed to alter the building to include a gasoline service station in the front thereof; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No. 307-33-BZ

Premises: 1758-66 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Brooklyn.

This application was reopened to reconsider the former request for a gasoline service station in addition to the motor vehicle repairing permitted January 23, 1934.

After further inspection by a committee of the board on October 11, 1934, the committee recommends that this further request be denied, as not being in the interest of public safety and general welfare. If granted it would mean that the sidewalk for a distance of 200 ft. would be traversed by automobiles entering these two gasoline stations. The situation is all the more dangerous because the gasoline pumps on the adjacent station are located on, or at least much closer to the building line than is generally permitted by the board. Further, this would bring additional non-conforming uses nearer to Avenue N, near and at which the objectors to this application are located. The committee is of the opinion that the use already granted is sufficient. This was granted because the reasons why this building was separated from the adjoining gasoline station were recognized as a possible temporary hardship. This building and the adjoining gasoline station should be operated jointly as was intended and which arrangement has apparently broken down because of general conditions and disagreement between the parties. Within the temporary period already granted it should be possible to effect a renewal of the previous arrangement for the benefit of both owners on some equitable basis.

The committee reaffirms its recommendation in the

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report of January 18, 1934, and recommends denial of the present application.

(Signed) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application as to the gasoline station be and it hereby is *denied*, and that the resolution of the board adopted January 23, 1934, be re-affirmed.

191-33-BZ.

APPLICANT—Arthur E. Allen, architect, for Jamaica Service Stations, Inc., lessee.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Sutphin boulevard, Lakewood to Shore avenues (Block No. 1144, Lot No. 12), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur E. Allen.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(191-33-BZ)

WHEREAS, this application affecting premises west side of Sutphin boulevard, Lakewood to Shore avenues (Block No. 1144, Lot No. 12), Jamaica, Borough of Queens, was granted by the board on certain conditions September 19, 1933, amended January 26, 1934, and lessee requested a further amendment.

Resolved, that the resolution adopted by the board on September 19, 1933, as amended by resolution adopted January 26, 1934, be and it hereby is further *amended*, so far as it refers to the curbs erected on the building line, and as to the location of the pumps so that as amended those portions of the resolution will read:

"That access to the gasoline selling area shall not exceed two openings from Sutphin boulevard, two from Lakewood avenue and two from Shore avenue, these openings not to exceed 25 ft. in width with curb cuts opposite not exceeding 30 ft. in width; that no part of any opening shall be nearer to the intersection of any two of the streets than 8 ft.; that except where these openings occur there shall be erected on the entire street building line a reinforced concrete curb constructed integral with the cement paving on the surface, not less than 12 inches in width and not less than 5 inches in height with a rounded top; that such pumps as are erected shall not be nearer

than 15 ft. from any building line; that other than as amended herein, the resolution adopted January 26, 1934, shall be complied with in all respects."

803-27-BZ.

APPLICANT—John M. Baker, for Richard Welsh, owner.

SUBJECT—Request for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously denied, reopened July 11, 1933; granted on condition November 14, 1933).

PREMISES AFFECTED—Northeast corner of Laurel Hill boulevard and 58th street (Betts avenue). (Block No. 2341, Lot No. 46), Winfield, Borough of Queens.

APPEARANCES—

For Applicant: John M. Baker.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(803-27-BZ)

WHEREAS, this application affecting premises northeast corner of Laurel Hill boulevard and 58th street (Betts avenue), (Block No. 2341, Lot No. 46), Winfield, Borough of Queens, was granted by the board November 14, 1933, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on November 14, 1933, be and it hereby is *amended*, only so far as it has reference to the concrete curbs along the street building line and openings therein, so that as amended, this portion of the resolution will read:

"That there shall be erected along the street building line of 58th street (also known as Betts avenue) and Laurel Hill boulevard, a concrete curb with foundation not less than 12 in. below grade, this curb to be not less than 12 in. in width and not less than 5 in. in height with rounded top, except that such curbs may be eased off, as indicated on plans marked 'received October 10, 1934', on either side of each entrance, for a distance of not over 2 ft., and with not more than 4 openings therein, 2 from 58th street and 2 from Laurel Hill boulevard; that no opening shall be nearer than 5 ft. from either property line nor from the intersection of the two streets; that these openings in the street building line curb shall not exceed 25 ft. with curb cuts opposite not exceeding 30 ft.; that other than as amended herein, the resolution shall be complied with in all respects."

98-30-BZ.

APPLICANT—G. D. Donald, for Colonial Beacon Oil Co., Inc., present owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

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PREMISES AFFECTED—1180-1188 Myrtle avenue and 664-668 Bushwick avenue, south west corner (Block No. 3182, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(98-30-BZ)

WHEREAS, this application affecting premises 1180-1188 Myrtle avenue and 664-668 Bushwick avenue, south west corner (Block No. 3182, Lot No. 24), Borough of Brooklyn, was granted by the board July 18, 1933, on certain conditions amended January 23, 1934, and owner requested a further amendment.

Resolved, that the resolution adopted by the board on January 23, 1934, be and it hereby is *amended*, only so far as it has reference to the completion of work, so that as amended this portion of the resolution will read:

"That in view of statement made by applicant's representative that all permits have been obtained and that contract for the work has been awarded and that the work may immediately be started, all work shall be completed within six months from the date of this amended resolution and that other than as amended herein, the resolution of January 23, 1934, shall be complied with in all respects."

302-29-BZ.

APPLICANT—Conroy and Hardy, for John Sklar Holding Co., Inc., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting, partly in a residence district and partly in a business district, the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—146-156 East 98th street, northwest corner of Winthrop street (Block No. 4614, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(302-29-BZ)

WHEREAS, this application affecting premises 146-156 East 98th street, northwest corner of Winthrop street

(Block No. 4614, Lot No. 38), Borough of Brooklyn, was granted by the board July 26, 1929, on certain conditions, and time extended from time to time, and applicant requests a further extension of time.

Resolved, that the resolution adopted by the board on July 26, 1929, be and it hereby is *amended*, only so far as it has reference to the time for obtaining permits and completing work, so that the time to obtain permits shall be extended six months and work involved extended one year after the date of this amended resolution and that the resolution of the board, adopted July 26, 1929, shall be complied with in all respects other than as amended herein.

APPEALS FROM ADMINISTRATIVE ORDERS.

232-34-A.
APPELLANT—Lease Bros. Coachcraft, Inc., for William Buchanan, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Charles E. Bernstein.

For Administration: None.

ACTION OF BOARD—Laid over to November 7, 1934, at 2 p. m., on request of appellant's representative.

259-34-A.

APPELLANT—Sheder Realty Corp., owner.

SUBJECT—Appeal from orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—141-145 West 36th street (Block No. 812, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Appellant: Jacob Schuller.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Laid over to November 7, 1934, at 2 p. m., for appellant to confer with department of buildings.

293-34-A.

APPELLANT—William B. Linder, for Harold Levine, adjoining owner; Nation Wide Petroleum Corp., owner of premises affected.

SUBJECT—Appeal from a decision of the commissioner of buildings—re Revocation of Permit No. 7532-1934 issued by the commissioner of buildings.

PREMISES AFFECTED—6501-6505 Bay parkway and 2202-2212 65th street, southeast corner (Block No. 6578, Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Appellant: William B. Linder, James Butterly, David E. Auerbach and Morris Selkowitz.

For Owner of Premises: Samuel S. Breslin, David Lang and Frank Briguglio.

For Administration: Assistant Engineer I. Wohlstetter of department of buildings and Inspector Edward Meyer, fire department.

ACTION OF BOARD—Decision reserved until October 30, 1934, at 2 p. m. Without further argument.

252-34-A.

APPELLANT—Tridex Machine Corporation, for Bedford Chevrolet Sales Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1410 Bedford avenue (Block No. 1224 Lot No. 45), Borough of Brooklyn.

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APPEARANCES—

For Appellant: C. H. Alvord.

For Administration: Inspector Meyer of fire department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(252-34-A)

WHEREAS, Tridex Machine Corporation, for Bedford Chevrolet Sales Corp., lessee, filed August 29, 1934, an appeal from an order of the fire commissioner, affecting premises 1410 Bedford avenue (Block No. 1224, Lot No. 45), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated August 10, 1934, re Order No. 65205-LC, reads:

"1. Remove the steam boiler from the 1st story of the garage

OR

"Separate boiler on 1st story of the garage from remainder of building by an enclosure of solid masonry at least 8 inches in thickness. Entrance to boiler room to be from exterior of building only."

and

WHEREAS, the building is non-fireproof, one story in height, 54 ft. by 111 ft. in area; occupied as an automobile repair shop, 10 persons; and

WHEREAS, the appellant claims the Tridex Car Washing Machine installed on the 1st story for the purpose of cleaning and washing automobiles is stationary, cars are brought to the machine for cleaning, no cars are stored within 20 feet of the machine; the machine is essentially a water-heater and steam-generator, using gas for fuel, the gas burner is entirely enclosed, air for combustion enters through a flue from outside; the machine in operation produces a solution of hot water and soap under pressure passing through a hose and discharged in a fine spray from a nozzle at about 60 pounds per square inch, which may be employed to remove grease and dirt from all parts of a car; only non-flammable cleaning compounds are used and all practical fire prevention measures are maintained; the building is provided with a sprinkler system as well as a standpipe system; furthermore, the Tridex Car Washing Machine has been tested and accepted by the National Board of Fire Underwriters as meeting their requirements and as to safety when installed in garages for washing purposes.

Resolved, that the order of the fire commissioner, No. 65205-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the installation and operation of one Tridex Cleaning Machine, constructed as described and shown in Calendar No. 33-34-SA and in accordance with the approval of the underwriters filed therewith, *on condition* that this device shall be maintained in its present location on the 1st floor, where indicated, on plans filed with this appeal; that the gas burner shall be equipped with an intake flue outside the building for air and an exhaust flue; that these flues shall be equipped with louver openings as approved for this type of burner by the Consolidated Gas Company; that this equipment shall be protected by a heavy pipe rail (3 ft. in height) on all sides, constructed of a pipe not less than 1½-in. in diameter and with not less than 2 horizontal rails; that this railing shall be properly braced to the brick wall with not less than 3 sets of struts; that the space within the structural bay adjacent to this machine, approximately 25 ft. square shall not be used for any purposes other than the washing of automobiles; that all openings from this building to the adjoining buildings to which this building is con-

nected shall be protected with self-closing underwriters fire doors; that such auxiliary fire fighting appliances as the fire chief and commissioner may direct shall be installed adjoining the machine; that no open flame shall be permitted in the building in which this device is installed.

APPLIANCES SUBMITTED FOR APPROVAL.

765-26-SA.

PETITIONER—Westinghouse Electric Supply Co., Inc., owner.

SUBJECT—Marr Model H, type "R" Oil Burner—approval of.

APPEARANCES—

For Petitioner: Earl Marr.

ACTION OF BOARD—Petition reopened and laid over to October 30, 1934, at 2 p. m., subject to test and report of engineer of board and bureau of combustibles, fire department.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

266-34-SA.

PETITIONER—David Kaufman, for Timken Silent Automatic Co., owner.

SUBJECT—Timken Silent Automatic Oil Burner, Model G, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(266-34-SA)

WHEREAS, David Kaufman, for Timken Silent Automatic Co., owner, led September 27, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Timken Silent Automatic Oil Burner Model "G"; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the pressure atomizing gun type, designed for use of commercial grades of fuel oil No. 1, 2 and 3. The burner assembly consists of the following parts:

An Ohio Motor 1/6 horsepower; an American Blower; Monarch Nozzle and a Webster Fuel Unit, consisting of a Pump, Strainer and Regulating Cutoff Valve.

Ignition—Electric, using a Jefferson Transformer.

Controls—Minneapolis Honeywell. A Protectorelay R-117-3 and Pressuretrol L-404-2.

With the oil shut off and a cold combustion chamber, the burner was operated and at two successive tests the control shut the burner down in 63 and 65 seconds, respectively. The burner was then operated

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with the oil supply turned on for approximately one-half hour. Examinations of the electrodes showed they had been properly set and furnished a spark of sufficient length and intensity. During the period of the tests there were no puff backs due to faulty ignition. The flame was continuous, non-fluctuating and free from smoke. Examination of the combustion chamber showed no undue carbon deposits.

It is recommended that this burner be approved for domestic, industrial and commercial purposes, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Timken Silent Automatic Oil Burner Model "G" for domestic, commercial and industrial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals for use with oil not heavier than No. 3, *on condition* that there shall be attached to each device a name plate permanently affixed stating that this device has been approved by the Board of Standards and Appeals for use in New York City under Calendar No. 266-34-SA.

591-29-SA.

PETITIONER—B. I. Stamm, for J. E. Kresky, present owner.

SUBJECT—Improved Kres-Kno Oil Burner, Model MD, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION

(591-29-SA)

WHEREAS, this petition for the approval of the device known as the Improved Kres-Kno Oil Burner was granted by the board June 10, 1930, approving the use of the Improved Kres-Kno Oil Burner for use in domestic and commercial installations; and

WHEREAS, B. I. Stamm, for the present owner, J. E. Kresky, requests approval of the Improved Kres-Kno Oil Burner, Model MD; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner, the Model MD, differs from the one originally approved by the board, in the following respects:

The position of the motor and fan has been changed and the old type trip bucket control has been replaced with an up-to-date constant level valve and electric oil control, type AP, manufactured by the Automatic Products Company.

The burner is also equipped with an oil pilot light. We observed the burner in operation and during this period of time, the flame was clean and free from soot and smoke.

Examination of the combustion chamber showed no undue carbon deposits. The burner may be either fully automatic or manually operated.

As a result of this inspection, it is recommended that this burner be approved for domestic and commercial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals on June 15, 1934, for fuel oil not heavier than No. 3.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Improved Kres-Kno Oil Burner and the Improved Kres-Kno Oil Burner, Model MD, for use in domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals for use with oil not heavier than No. 3 *on condition* that there shall be attached to each device a name plate permanently affixed stating that this device has been approved by the Board of Standards and Appeals for use in New York City under Calendar No. 591-29-SA.

172-34-SA.

PETITIONER—Irving T. Hecht, agent for The Silent Glow Oil Burner Corp., owner.

SUBJECT—Silent Glow Range Oil Burner, approval of.

APPEARANCES—

For Petitioner: Irving T. Hecht.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(172-34-SA)

WHEREAS, Irving T. Hecht, agent for Silent Glow Oil Burner Corp., owner, filed June 19, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Silent Glow Range Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The unit was assembled and installed in ordinary type cooking range. The oil is supplied from a glass bottle, having a metal shield equipped with two hand grips. The guard for the bottle is semi-circular in design and only permits the bottle to be lifted from the stand. The construction of the guard is such that it is impossible to dislodge the bottle by any means other than that mentioned above. The oil reservoir in the stand is sufficiently large to take up any expansion of the oil due to heat. The burner unit consists of two units. These units consist of an iron casting having concentric rings in it with walls $\frac{3}{4}$ of an inch in height. The oil spreads through these concentric rings and vaporizes. Set into these rings are four perforated cylinders made of 21 per cent. chrome steel. There is a circular cover over the top of these cylinders. The regulating valves to regulate the flow of oil to the burner are of the ball bearing type and give a very fine adjustment for the operation of the burner. These valves are manufactured by the Silent Glow Oil Burner Corp. The copper tubing used is extra heavy— $\frac{5}{16}$ of an inch in diameter, and is encased in "BX" cable. The tubing was firmly anchored to the floor. The stand for holding the bottle has a very wide base and is firmly fastened to the floor. The legs of the burner unit were bolted to the ash pan of the stove.

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The front burner unit was ignited and allowed to burn at full capacity for approximately 30 minutes. The oil supply then to the second unit was turned on fully, and after a period of about six minutes this unit ignited without any explosion or puffback.

It was recognized that in these burners, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, we recommend that the same be approved.

and

WHEREAS, this burner has been approved by the Underwriters Laboratories Guide No. 300-10-19, File MP 729.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Silent Glow Range Oil Burner, *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.
2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.
3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.
4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.
5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.
6. Cracks or crevices between the combustion chamber and other parts of stove or range, shall be effectively sealed with fire clay or other suitable approved material.
7. Only approved safety cans shall be used for the storage and filling of oil containers.
8. Storage container shall not be filled in same room when and where burner is in operation.
9. Floor beneath oil burner device shall be protected by a shield of at least ½-inch asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.
10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 172-34-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

202-34-SA.

PETITIONER—Monitor Oil Burner and Boiler Co., for Wm. Schumacher, owner.

SUBJECT—Monitor Oil Burner, approval of.

APPEARANCES—

For Petitioner: Howard Sawyer.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(202-34-SA)

WHEREAS, Monitor Oil Burner and Boiler Co., for Wm. Schumacher, owner, filed July 10, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Monitor Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the pressure atomizing gun type and consists of the following parts:

A Century 1/6 h.p. motor

A Tuthill Pump

A Monarch Strainer

A Monarch pressure regulating valve

A Monarch Nozzle and a Sirocco Fan.

Controls—A Penn. Safeterol Type 620 and a Penn. Pressuretrol Type JRPA

Ignition—Electric—Webster Transformer.

With the oil supply shut off, the oil burner was operated from a cold start on two successive tests. The safety control shut the burner down in 90 and 92 seconds, respectively. The electrodes were examined and were found to be set at the proper angle and gave a spark of sufficient intensity for proper ignition. The burner was then put into normal operation in a period of 30 minutes. During its operation there were no puff-backs or explosions. The flame was clear and free of soot and smoke. The combustion chamber showed no undue carbon deposits.

As a result of this inspection and test it is recommended that the Monitor Oil Burner be approved for use in domestic and commercial use when installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals on June 15, 1934, for oil not heavier than No. 3.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Monitor Oil Burner for use in domestic and commercial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, for use with oil not heavier than No. 3, *on condition* that there shall be attached to each device a name plate permanently affixed stating that this device has been approved by the Board of Standards and Appeals for use in New York City under Cal. No. 202-34-SA.

Adjourned, 4:50 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 16, 1934, as they appeared in Bulletin No. 43, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(250-34-SA)

WHEREAS, J. W. Hirsch, agent for Automatic Burner Corp., owner, filed August 28, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6 and AS-9 and A-3798 Water Heater Assembly; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On October 4th, Mr. John Dixon, acting chief inspector and Mr. Charles Johnson, assistant inspector of combustibles, and Mr. Leslie V. Huber, chief engineer Board of Standards and Appeals, visited the premises No. 1851 Eastern parkway, Borough of Brooklyn, for the purpose of inspecting the above mentioned oil burners. Present at the inspection was Mr. J. W. Hirsch of the Automatic Burner Corporation.

The Model A-3798 is a 40 gallon, hot-water boiler, equipped with a SA-9 burner unit. The burner unit consists of a pressed steel base having concentric rings in it and supporting four (4) cylinders $5\frac{1}{8}$ in. in height. These cylinders consist of 21 per cent. chrome steel. The walls of the base are $\frac{3}{4}$ in. in height.

Controls: A thermostatic spiral inserted into the boiler, connected to a Detroit Lubricator Constant Lever Valve.

Ignition: Oil or gas pilot light provided.

The burner was put into operation for a period of about 45 minutes. During this time the operation of the Constant Lever Valve was tested and at no time could an abnormal supply of oil enter the burner.

RANGE BURNERS.

Types of Models AS-4, AS-6, AD-6 and AS-9.

These type range burners, with the exception of the AD-6, are single units consisting of pressed steel bases having concentric rings into which are fitted perforated cylinders $5\frac{1}{8}$ in. in height. The AS-4 has only 2 cylinders; the remaining models have four (4), one inside the other; the Model AD-6, which has a double burner unit, was installed in an ordinary cooking range. The first burner unit was ignited and allowed to operate at full capacity for approximately twenty minutes. The second unit then had its oil supply turned on full. After about six minutes the oil in second unit ignited without any explosion or puff-back. The tubing used was $\frac{3}{8}$ in. in diameter, extra heavy. The supply for the burners was from a two-gallon bottle mounted upon a metal stand. The reservoir of the stand was amply large enough to permit any expansion of oil due to heat. The bottle was securely fastened to a rod on the stand by means of a heavy metal clip. The regulating valves used are manufac-

tured by the Automatic Burner Corporation and are the V-slot type supported by means of a metal stand.

As a result of the inspection and test on the Model A-3798 we recommend that this burner hot-water unit be approved when installed in accordance with the Fuel Oil Burner Rules.

It was recognized that in these burners, Models AS-4, AS-6, AD-6 and AS-9, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals on June 15, 1934, we recommend that the same be approved.

and

WHEREAS, this burner has been approved by the Underwriters Laboratories, Guide No. 300-10-19, File M.P. 736.

Resolved, that the Board of Standards and Appeals does hereby *approve* the A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6 and AS-9 and A-3798 Water Heater Assembly *on condition* that the devices shall comply with the Oil Burner Rules of the Board of Standards and Appeals, also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustion chamber and others parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by a shield of at least $\frac{1}{2}$ -in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 250-34-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

* Correction—Word "outlets" changed to "outline" in subdivision 9 of recommendations.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held October 16, 1934, as they appeared in Bulletin No. 43, Vol. XIX. are hereby corrected to read as follows:

THE RESOLUTION—

(48-34-SA)

WHEREAS, Albert Bliss, for Kolrid Oil Burner Corp., owner, filed February 19, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Kolrid Range Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This unit consists of a stand and glass bottle container for the storage of oil, piping, control valves and two combustion chambers which are placed inside the range. The bottle is inverted into a metal reservoir, which has a cast iron boss that extends upward from the reservoir bowl. The reservoir bowl is set on the top of the metal stand which has a circular base about 8 inches in diameter.

The tubing used is extra heavy 5/16-in. copper, and a single length of it connects the oil reservoir to the control valves. These control valves are manufactured by the Worcester Taper Pin Company and are of the "V" slot principle, which prevents clogging and affords a fine control for the burner. These valves are connected to the base of the burner by means of copper tube. The burner unit proper consists of the valve assembly; a cast iron base 6-9/16 in. in diameter, which has four combustion chambers on it, all of which are connected by ducts to a central fuel chamber into which is screwed at the bottom what is known as a carbon leg.

The fuel line from the valves is fastened to this leg. The combustion chambers are fitted with perforated chrome nickel steel shells or stacks, two to each chamber, one inside of the other. In all there are 8 of these cylinders in each unit.

At the top of the stack there is a metal top cover with a series of rings cast in the under side into which the stacks fit. This cover is bolted to the base of the burner. Each stack is equipped with an asbestos wick.

The burner units are equipped with a cast iron pedestal which is bolted to the base of the stove. The height of the burner may be adjusted on this pedestal to suit the particular needs of each installation. This is set in position by an Allen set screw.

To operate the burner, the oil is turned on full for about three minutes, then the valve is closed. This permits the oil to enter the combustion chamber and saturate the wicks which are then ignited by means of a taper. The oil burns and heats the cylinders, and at the end of 7 to 10 minutes, the oil valve is then opened and the flame adjusted.

* Correction—Word "outlets" changed to "outline" in subdivision 9 of recommendations.

It was recognized that in these burners there were inherent possible hazards due to location and operation and in recommending these burners for approval, it is suggested that certain recommendations be carried out in their installation and incorporated in the instruction card which must be placed near the burner.

As this burner complies with the Oil Burner Rules adopted by the Board of Standards and Appeals, June 15, 1934, it is recommended that same be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Kolrid Range Oil Burner *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals, also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by a shield of at least 1/2-in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS

UNDER CAL. NO. 48-34-SA.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday, October 16, 1934, as they appeared in Bulletin No. 43, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(196-34-SA)

WHEREAS, W. B. Smith Whaley Jr., owner, filed July 3, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Smith-Whaley Range Oil Burner, Models SW-1 and SW-2; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

These burners consist of a stand securely bolted to the floor holding a two gallon glass bottle. The bottle is protected by a perforated metal jacket, which has two hand grips on it. The burning device consists of an iron casting having walls $\frac{3}{4}$ of an inch high. In this iron casting are set perforated steel cylinders. Between the outer two and the inner two cylinders there is a $\frac{1}{2}$ -inch asbestos wick. Each one of these units is individually supported by separate iron stand which is securely bolted to the ash pit of the range. The regulating valves used on these burners are manufactured by the Hartford Machine Screw Company. Extra heavy $\frac{5}{16}$ of an inch copper tubing connects the oil supply to the burners.

The front burner in the stove was operated at full capacity for about 20 minutes. At the expiration of this time the oil supply to the rear burner was fully turned on. There was no resulting explosion or puff, and after a period of about 5 minutes, the second burner ignited quietly. We poured approximately $\frac{1}{2}$ glass full of water into one of the burners. All this did was to first cause a little smoke and then reduce the flame.

It was recognized that in these burners, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, we recommend that the same be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Smith-Whaley Range Oil Burner, Models SW-1 and SW-2 *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage container shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by a shield of at least $\frac{1}{2}$ -inch asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 196-34-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

Resolved further, that this burner may also be marketed under the name of Biltwell Range Oil Burner, Models B-1 and B-2, *on condition* that the conditions as listed above are complied with.

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS

A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798		Fox Range Oil Burner.....	200-34-SA
Water Heater Assembly.....	250-34-SA	Kolrid Range Burner.....	48-34-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
Florence Range Burners.....	219-34-SA	Silent Glow Range Oil Burner.....	172-34-SA
		Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA

* Correction—Word “outlets” changed to “outline” in subdivision 9 of recommendations.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
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Cases filed up to October 24, 1934.....	299	Dismissed	13
Restored to Calendar.....	79	Denied	112
		Granted	0
		Granted on condition.....	152
		Appliances approved	57
		Appliances dismissed, disapproved or withdrawn....	31
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
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Requests to amend.....	85	Requests to reopen denied.....	19
Requests for modification.....	1	Requests to amend granted.....	85
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	50	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	11	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	50
Requests for interpretation.....	1	Requests for extension of time denied.....	0
		Requests for extension of permit granted.....	12
		Requests for extension of permit denied.....	0
		Requests to install granted.....	0
		Requests to install denied.....	0
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		Plans disapproved	0
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		Administrative requests denied or withdrawn.....	0
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		Requests withdrawn or dismissed.....	13
Total.....	1,002	Total.....	815
Disposed of	815		
Cases pending October 24, 1934.....	187		

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—

- Docket.
- Court Decisions.
- Call of Clerk's Calendar.
- Notices in Building Zone Cases.
- The Trial Calendar.
- Minutes of Regular Meeting, October 30, 1934, at 10 A. M.
- Minutes of Regular Meeting, October 30, 1934, at 2 P. M.
- Corrections.
- Approved Range Oil Burners.
- Approved Burners for Industrial Use.
- Reserve Calendar.
- Approved Fireline Hose Valves.
- Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, November 5, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Tuesday, November 13, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official. Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to October 31, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
306-34-SA.....	F.D.....	Quick Meal Space Heaters— Models No. 5672-0, 5671-13, 5671-33, and 5671-35, Appliance.
305-34-SA.....	F.D.....	Quick Meal Water Heater— Model No. 5681-0, Appliance.
304-34-SA.....	F.D.....	Quick Meal Range Burner— Appliance.
303-34-A.....	D.B.B.....	163 Pacific st. (Block 286, Lot 48), Brooklyn. Applic. 9264-34.
302-34-SA.....	F.D.	Loyalty Range Burner, Appliance.
301-34-SA.....	D.B.M....	"Radbur" Flameproofing Com- pound, Material.
300-34-SA.....	F.D.....	Johnson Anti-Syphon Rotary Plunger Pump, Appliance.

Restored to Calendar.

975-28-BZ.....	D.B.Bx....	4610-4622 Bullard ave. and 4615-4625 Bronx blvd. (Block 5077, Lots 8, 11 and 14), The Bronx. N.B. 244-34.
283-33-BZ.....	D.B.B. ...	4601 10th ave., southeast cor. 46th st. (Block 5620, Lot 11), Brooklyn. Applic. No. 8591-33.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

RULES

	Last Publication in Bulletin	
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Concrete Rules (Hydrated Lime).....	Oct.	9, 1934—Vol. 19 No. 41
Elevator Rules.....	July	3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov.	14, 1933—Vol. 18 No. 46
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Gas Shut-Off Rules.....	Apr.	7, 1925—Vol. 10 No. 14
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Oil Burner Rules.....	Sept.	25, 1934—Vol. 19 No. 39
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LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	Nov.	6, 1934—Vol. 19 No. 45
Fuel Oil Burners for Domestic and Commercial Use.....	Oct.	16, 1934—Vol. 19 No. 42
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COURT DECISIONS.

Eckels v. Murdock. January 13, 1934, Board refused to reopen application previously denied for gasoline station in business district, under section 21, on ground that no new material facts were presented to justify reopening, Cal. No. 758-30-BZ; Premises, 1507-1512A Myrtle avenue and 280 Irving avenue, Brooklyn. Mr. Justice Smith appointed referee and confirmed referee's report to grant gasoline station (N. Y. L. J., January 26, 1934); Appellate Division modified order along lines of St. Albans-Springfield decision and affirmed same (N. Y. L. J., July 3, 1934); on appeal to the Court of Appeals the points raised were that the questions before the court were the refusal of the Board to reopen and not the merits of the original application, also the application of the St. Albans-Springfield decision to property not farm lands. The Court of Appeals reversed the Special Term and Appellate Division and reinstated determination of Board (N. Y. L. J., October 24, 1934).

* * *

Matter of Burke (Connell). March 14, 1933, Board denied application for gasoline service station in business district, under section 21, having been previously granted under section 7-f, temporary permit February 3, 1925, for two years, which was twice renewed; Cal. No. 1230-23-BZ; Premises, 160-01 46th avenue, northeast corner 160th street, Flushing. Mr. Justice Cuff reversed Board (N. Y. L. J., March 6, 1934); App. Div. reversed Special Term and reinstated determination of Board (N. Y. L. J., October 30, 1934), citing the fact that the section was no longer undeveloped.

* * *

Garden Estates vs. Murdock. February 3, 1933, Board granted on condition application for gasoline station in business district, under section 21, Cal. No. 357-32-BZ; Premises, northwest corner Skillman avenue and 43rd street, L. I. City. Mr. Justice Smith sustained Board; App. Div. reversed Special Term and Board (N. Y. L. J., March 24, 1934); Court of Appeals affirmed order of App. Div. (N. Y. L. J., October 24, 1934).

* * *

Matter of Schumer (Murdock). June 19, 1934, Board denied application for gasoline station in business district, under section 21, Cal. No. 993-26-BZ; Premises, 5911-21 22nd avenue (Bay parkway), Brooklyn. Mr. Justice May sustained Board. (N. Y. L. J., October 30, 1934).

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 5, 1934, AT 2 P. M.

Building Zone Cases.

339-33-BZ.

APPLICANT—Samuels and Samuels, for Otnas Realty, Inc., owner.

PREMISES—14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened July 17, 1934),

CALENDAR

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously withdrawn).

242-34-BZ.

APPLICANT—John Pross, for Jalccc Realty Corp., owner.
PREMISES—787-795 Empire boulevard, north side, 260 ft. east of Troy avenue (Block No. 1423, Lot Nos. 41 and 43), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the change of occupancy of an existing building to a garage for more than five motor vehicles.

261-34-BZ.

APPLICANT—Wood & Marshall, for Samuel H. Baylis and Sheldon F. Baylis, owners.

PREMISES—93-28 New York avenue, west side, 25 ft. south of L. I. R. R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles.

272-34-BZ.

APPLICANT—Benjamin Millstein, for John J. Tully, owner.

PREMISES—901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

NOVEMBER 7, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 7, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 195-34-BZ—Application, July 2, 1934, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Hattie M. Marks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

CAL. NO. 230-34-BZ—Application, August 9, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of William F. Clark, owner, to permit in a business district the maintenance of an existing motor vehicle repair shop; premises 303-305 4th avenue, southeast corner of 2nd street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

CAL. NO. 227-20-BZ—Application of Samuel Rosenblum, on behalf of Goble Jerome Co., Inc., present owner, reopened September 18, 1934, for amendment of resolution to permit the inclusion of a gasoline service station—re Application, granted under sections 7c and 21 of the building zone resolution, permitting in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles, to be used in part for a gasoline service station; premises 1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

CAL. NO. 211-34-BZ—Application, July 19, 1934, under section 21 of the building zone resolution, of Abraham M. Bakerman, applicant, on behalf of Rebecca Bakerman and Sadie Cooper, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx.

CAL. NO. 214-34-BZ—Application, July 23, 1934, under section 21 of the building zone resolution, of Benjamin N. Brody, applicant, on behalf of Peter Schwartz, owner, to permit in a business district the change of occupancy of an existing building to a junk shop; premises 412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 7, 1934, 2 P. M.

Appeals from Administrative Orders.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

259-34-A—141-145 West 36th street (Block No. 812, Lot No. 16), Manhattan.

260-34-A—1491 Lexington avenue, northeast corner of East 96th street (Block No. 1624, Lot No. 20), Manhattan.

246-34-A—525 East 68th street, block bounded—north side of east 68th street to south side of east 70th street and east side of York avenue to west side of Exterior street (Block Nos. 1480-1482, part of Lot No. 1), Manhattan.

Appliances Submitted for Approval.

291-34-SA—Champion Range Oil Burner and Pump, Models A, DeLuxe and Waco.

304-34-SA—Quick Meal Range Burner.

305-34-SA—Quick Meal Water Heater, Model 5681-0.

306-34-SA—Quick Meal Space Heaters, Models 5672-0, 5671-13, 5671-33 and 5671-35.

CALENDAR

NOVEMBER 13, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 13, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 215-34-BZ—Application, July 23, 1934, under section 21 of the building zone resolution, of Leonard J. Tompkins, applicant, on behalf of Jamaica Savings Banks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Merrick road and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

CAL. NO. 238-34-BZ—Application, August 15, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of David F. Walsh, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

CAL. NO. 179-34-BZ—Application, June 21, 1934, under section 21 of the building zone resolution of Hugo E. Magnuson, applicant, on behalf of Estate of Maria K. Gray, owner, to permit in a residence district the erection and maintenance of a business building (stores); premises southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

CAL. NO. 191-34-BZ—Application, June 28, 1934, under section 21 of the building zone resolution, of Croker Fire Prevention Corporation, applicant, on behalf of The Hermitage Corp., owner, to permit partly in a business district and partly in a residence district the use of a plot of ground as a parking space for more than five motor vehicles; premises 2087 Boston road, west side, 100 ft. south of east 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx.

CAL. NO. 207-34-BZ—Application, July 12, 1934, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Anna Shattan, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 97 Steuben street, northeast corner of Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

TUESDAY, NOVEMBER 13, 1934, AT 2 P. M.

Building Zone Cases.

5-34-BZ.

APPLICANT—Joseph A. Gelbmann, for Elsie S. Domville, owner.

PREMISES—15 East 61st street (Block No. 1376, Lot No. 12), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution (reopened September 18, 1934),

TO PERMIT in a residence district the change of occupancy of an existing building from residence use to business use (previously withdrawn).

254-34-BZ.

APPLICANT—A. P. Sorice, Jr., for Mildred Gerrato, owner.

PREMISES—South side of 91st avenue, 179 ft. west of 169th street (Block No. 885, Lot No. 39), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing garage for more than five motor vehicles.

258-34-BZ.

APPLICANT—J. M. Felson, for 2230 Grand Concourse Corp., owner.

PREMISES—Northeast corner of East 182nd street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a building to be used in part for business purposes (stores).

500-28-BZ.

APPLICANT—William Shary, for Charles Zenker, present owner.

PREMISES—2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened October 2, 1934),

TO PERMIT partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 19, 1934, AT 2 P. M.

Building Zone Cases.

262-34-BZ.

APPLICANT—James Whitford, for Oscar A. Johnsen, owner.

PREMISES—1111 Forest avenue, northwest corner of Greenleaf avenue (Block No. 235, Lot No. 47), West New Brighton, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

264-34-BZ.

APPLICANT—William C. Goodson, for Anna May Pitbladdo, owner.

CALENDAR

PREMISES—8412 Ridge boulevard (Block No. 6023, Lot No. 39), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "F" area district the erection and maintenance of a private garage within fifteen (15) feet of the building line.

268-34-BZ.

APPLICANT—Samuels and Samuels, for Herman M. Seldin, owner.

PREMISES—Northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

118-30-BZ.

APPLICANT—Samuels and Samuels, for Sadye Hy-decker, owner.

PREMISES—Northeast corner of Allerton avenue and Eastchester road (Block No. 4534, Lot No. 12), Borough of The Bronx.

APPLICATION, under section 7f of the building zone resolution (reopened September 11, 1934),

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously denied under section 21).

NOVEMBER 20, 1934, 2 P. M.

Appeal from Administrative Order.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 20, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); (re-stored to calendar October 23, 1934); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

CAL. NO. 109-34-BZ—Application, April 21, 1934, under section 21 of the building zone resolution, of Jacob Lubroth, applicant, on behalf of Louis Greenstein, owner, to permit in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop; premises southwest corner of Myrtle avenue and Cypress Hills street (Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, OCTOBER 30, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross.

The minutes of the regular meeting of the board, held on Tuesday morning, October 23, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, October 23, 1934, were approved as printed in Bulletin No. 44, Vol. XIX.

BUILDING ZONE CASES.

109-34-BZ.

APPLICANT—Jacob Lubroth, for Louis Greenstein, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—Southwest corner of Myrtle avenue and Cypress Hills street (Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Lubroth, Max Rothbart and David Radely.

For Opposition: Edward N. Kassel, Otto Herrmann and Helen Ritter.

For Administration: Inspector Meyers for fire department.

ACTION OF BOARD—Laid over to November 20, 1934, at 2 p. m., for final decision by board. No further argument.

179-34-BZ.

APPLICANT—Hugo E. Magnuson, for Estate of Maria K. Gray, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—Southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Leroy P. Ward, Hugo E. Magnuson and William Gray.

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For Opposition: Nathan Shulman, Adelaide Mo-clair, Edward P. Shalvey, Norman Sickles, Caroline Badem and Jacob S. Mehlman.
ACTION OF BOARD—Laid over to November 13, 1934, at 10 a. m., for report of committee on inspection. No further argument.

29-34-BZ.

APPLICANT—Norman L. Adolf, for Rose Metchik, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Norman L. Adolf and Rose Metchik.

For Opposition: Joseph H. Gellman, Anna Golobish, Charles Zwirn, Mrs. Anna Dianco and Mrs. B. Fried.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief George L. Ross.....	4
Absent	0

THE RESOLUTION—

(29-34-BZ)

WHEREAS, Norman L. Adolf, for Rose Metchik, owner, filed February 2, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: northeast corner of 56th avenue and Corona avenue (Block No. 2011, Lot Nos. 33 and 34), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 30, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Corona avenue is in a business district; 56th avenue is in a business and unrestricted district and 111th street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 19, 1934, re Plan No. 2553 reads:

"The erection of a gasoline service station in a business district is contrary to article 2, section 4, subdivision 46 BZR. Not further examined."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 72 ft. 6 in. on Corona avenue and 60 ft. on 56th avenue, upon which it is proposed to erect a one-story office 20 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, a committee of the board inspected the property under appeal on October 4, 1934, prior to the hearing; and

WHEREAS, the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1058-24-BZ.

APPLICANT—Max Klein, for Max Tharler, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop (reopened May 29, 1934).

PREMISES AFFECTED—East side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Klein.

For Opposition: Gaylord U. Smith, Jacob Ziegler, Josephine Pfeiffer, Mary Lefkowitz, Grace Paladino and Mamie De Blasi.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief George L. Ross.....	4
Absent	0

THE RESOLUTION—

(1058-24-BZ)

WHEREAS, this application affecting premises east side of Intervale avenue, 90 ft. 8 in. south of Kelly street (Block No. 2706, Lot No. 13), Borough of The Bronx, was denied by the board November 12, 1924, this application then being for a garage for more than five (5) motor vehicles and this application was reopened May 29, 1934, by vote of the board on a request to permit in a business district the alteration and change of occupancy of an existing structure to a motor vehicle repair shop; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 30, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Intervale avenue is in a business district; Kelly street is in a business and residence district and East 167th street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 13, 1934, reads:

"In answer to your letter of April 3d, would say that as the location is within a business district the occupancy of the building as an automobile repair shop would be a violation of the zoning resolution and your application for a permit is therefore denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground running through from street to street, having a frontage of 30 ft. on Intervale avenue and 27 ft. on Kelly street, upon this plot are located six individual garages on the Kelly street portion of the plot and also four individual garages on the Intervale avenue portion of the plot, it is proposed to remove the individual garages on the Intervale avenue part of the plot to erect on the Intervale avenue front of the plot a one-story structure 30 ft. by 35 ft. deep to be used as a motor vehicle repair shop. The three westerly individual garages in the group located on Kelly street to be used as storage sheds, and the three individual garages facing on Kelly street to be used as at present; and

WHEREAS, a committee of the board inspected the property under appeal on May 24, 1934, prior to the reopening; and

WHEREAS, the board deemed that the applicant failed to substantiate the basis of his application under the provisions of section 21 of the building zone resolution.

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Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

227-34-BZ.

APPLICANT—Samuels & Samuels, for Jacob Morgenthaler Sons, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Queens boulevard and 51st avenue (Block No. 2472, Lot No. 9), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: J. Hass, Amy Alak, Stefania Olszewski, Adelaide Theisen and William Theisen.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief George L. Ross.....	4
Absent	0

THE RESOLUTION—

(227-34-BZ)

WHEREAS, Samuels and Samuels, for Jacob Morgenthaler Sons, owner, filed August 6, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: southeast corner of Queens boulevard and 51st avenue (Block No. 2472, Lot No. 9), Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 30, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business district; 51st avenue is in a business district; Codwise place is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered July 17, 1934, re Plan No. 1212, reads:

"It is contrary to the zone law to erect a gasoline service station in a business district (article 2, section 4, BZR). Not further considered."

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 24.34 ft. on 51st avenue, 62.68 ft. on Queens boulevard and 9.91 ft. on Codwise place and a depth from 51st avenue of 100 ft., upon which it is proposed to erect a one-story office and grease room structure 50 ft. by 27 ft. in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, a committee of the board inspected the property under appeal on October 25, 1934, prior to the hearing; and

WHEREAS, the board deemed that the applicant had failed to substantiate the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

Adjourned, 1:25 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 30, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

556-26-BZ.

APPLICANT—John F. Meehan, for Avoncel Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station. (Reopened June 19, 1934.)

PREMISES AFFECTED—501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83 84 and 85), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Meehan.

For Opposition: Arthur J. Connolly, representing the Heights Taxpayers' Protective Association, Inc.

ACTION OF BOARD—Laid over for full vote of the board; no date set.

THE VOTE TO GRANT—

Affirmative: Commissioners Savage and Blum and Assistant Chief Kidney	3
Negative: Chairman Murdock.....	1
Absent	0

222-34-BZ.

APPLICANT—Samuels & Samuels, for Meyer Werman, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Little Neck parkway and Hillside avenue (Block No. 4523, part of Lot No. 51), Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Archie Samuels.

For Opposition: None.

ACTION OF BOARD—Laid over for full vote of the board; no date set.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
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MINUTES

Negative: Assistant Chief Kidney..... 1
Absent 0

Negative 0
Absent 0

283-33-BZ.

APPLICANT—Irving Friedman, for Gussie Gordon, owner.

SUBJECT—Application for reopening—restoration to calendar having been previously withdrawn—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing dwelling to business use.

PREMISES AFFECTED—4601 10th avenue, southeast corner of 46th street (Block No. 5620, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Friedman and Joseph Gordon.

ACTION OF BOARD—Application reopened, subject to calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

975-28-BZ.

APPLICANT—Scacchetti & Siegel, for Estate of J. H. Douglas, Inc., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a building to be used as a dry cleaning establishment.

PREMISES AFFECTED—4610-4622 Bullard avenue and 4615-4625 Bronx boulevard, east side, 100.01 ft. north of East 240th street (Block No. 5077, Lot Nos. 8, 11 and 14), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Siegel.

ACTION OF BOARD—Application reopened, subject to calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

331-32-BZ.

APPLICANT—Herbert Ascher, for Sinclair Refining Co., present owner.

SUBJECT—Request for reopening—amendment—re Application (decision of the superintendent of buildings) under sections 7f and 21 of the building zone resolution, to permit in a business district the maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request to reopen, withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

126-34-BZ.

APPLICANT—Philip Schneider, for Sarah Feinman, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—609 Snediker avenue (Block No. 3851, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harold J. Levy.

For Opposition: Samuel Rothstein, J. Weinstein and Rebecca Winter.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Absent 0

THE RESOLUTION—

(126-34-BZ)

WHEREAS, Philip Schneider, for Sarah Feinman, owner, filed May 9, 1934, an application under the building zone resolution to permit in a business district the maintenance of a motor vehicle repair shop; premises 609 Snediker avenue (Block 3851, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 30, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Snediker avenue is in business and unrestricted districts New Lots avenue is in business and unrestricted districts, and Hinsdale street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 19, 1934, reads:

"You are hereby notified that unless the requirements of violation 478/34, premises 609 Snediker avenue, are complied with at once, I shall be obliged to commence proceedings against you in the Magistrate's Court, for the commission of a misdemeanor under the provisions of section 719b of the Charter of the City of New York.

Yours very truly,
EDWIN H. THATCHER,
Commissioner of Buildings.

"Discontinue use of premises as a repair shop and comply with the law. Final notice."

and

WHEREAS, the building is of concrete block, non-fire-proof construction, one story in height, with a frontage of 20 ft. and a depth of 34 ft. 6 in.; erected as a three-car garage, the proposed occupancy to be a motor vehicle repair shop; and

WHEREAS, a committee of the board inspected the property under appeal on October 25, 1934; and a verbal report of such inspection made by the chairman at this hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate the basis of his application under section 21 of building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

MINUTES

212-34-BZ.

APPLICANT—Louis A. Brown, substituted for Bailey & Ferrara, for Mabel O. Parker, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis A. Brown, Mabel O. Parker and Thomas F. Ferrara.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(212-34-BZ)

WHEREAS, Louis A. Brown, substituted for Bailey & Ferrara, for Mabel O. Parker, owner, filed July 19, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station: premises: 1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 30, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Neptune avenue, Cropsey avenue and West 17th street are all in a business district; West 19th street is in business, unrestricted and residence districts; and

WHEREAS, the decision of the commissioner of buildings, application No. 8982-34, rendered July 13, 1934, reads:

"Gasoline selling station in a business zone is contrary to article 2, paragraph 4, section 46 of zone resolution";

and

WHEREAS, the premises consist of a plot of ground having a frontage of 20 ft. on Neptune avenue and 80 ft. on Cropsey avenue, upon which it is proposed to erect a one-story store and office, 14 ft. by 20 ft. in area, grease pits and also the necessary tanks and pumps for a gasoline service stations; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and a verbal report of same made by chairman at this hearing; and

WHEREAS, the board deemed that, considering all the circumstances, that the applicant was entitled to a temporary permit for two years under section 21, although the Board reiterated its position that it is not in favor of gasoline stations on such narrow lots, but has taken into consideration the non-conforming uses along Cropsey avenue and the fact that there are very few pedestrians.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21 for a period of two years from the date of this action, permitting the site under appeal to be used for a gasoline service station, on condition that the station shall be arranged substantially as indicated on plans filed with

this appeal; that there shall be erected along the interior lot lines to the north and west a brick wall, suitably coped, and not less than 7 ft. in height; that this wall may be constructed to a height of 4 ft. at the Neptune avenue building line and be graduated at the rate of 1 ft. in 4 to the 7-ft. height; that the accessory buildings shall contain only a lubritorium, office building and store for automobile accessories; that these buildings shall be constructed of brick not over one story in height; that the walls of these buildings where erected on the lot lines may be incorporated in the lot line wall; that the roof boardings, windows and doors may be of wood provided the ceiling shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals and the roofs surfaced with incombustible materials; that the entire plot where not covered by accessory buildings shall be cement paved; that all gasoline pumps that are installed shall be not over 3 ft. from the lot line wall as indicated; that there shall be erected on the Cropsey avenue building line and on Neptune avenue building line concrete curbs not less than 12 in. in width and not less than 6 in. in height, with rounded top, and with no openings therein other than two to Cropsey avenue and one to Neptune avenue, such openings not to exceed 20 ft. in width and with curb cuts opposite not exceeding 30 ft. in width, and that no opening shall be nearer the intersection of Cropsey avenue and Neptune avenue than 5 ft; that no portable gasoline pumps shall be installed or maintained on or from the property; that all advertising shall be limited to the globes of the gasoline pumps and to one electric standard erected at the corner of Neptune avenue and Cropsey avenue, within the building line, and to a flat sign attached to face of accessory building; that there shall be no excavation under any of the buildings except the pits for greasing racks; that no open flame shall be permitted on property; that there shall be no repairing of automobiles carried on and no parking of cars other than those being serviced; and that all permits shall be obtained within six months and all work involved completed within one year from the date of this action.

223-34-BZ.

APPLICANT—Kennedy & Ellner, for Albert V. Leudermann, Lillian B. Leudermann and Lena Wenner, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Betty Asfar.

For Opposition: Thomas J. Callam.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(223-34-BZ)

WHEREAS, Kennedy & Ellner, for Albert V. Leudermann, Lillian B. Leudermann and Lena Wenner, owners, filed August 3, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station; premises northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot No. 1), Bayside, Borough of Queens; and

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WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 30, 1934, after due notice by publication in the Building of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cross Island boulevard is in a business district; 169th street is in residence and business districts, and 26th avenue is in residence and business districts; and

WHEREAS, the decision of the commissioner of buildings, rendered August 6, 1934, re Plan No. 936/34, reads:

"The erection of a gasoline station in a business district and extending partly into a residence district is prohibited by the zone law. (Not further examined.)"

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a total frontage of 210 ft. along Cross Island boulevard and 169th street and also a distance of 75 ft. along the north lot line, upon which it is proposed to erect a one-story office and automobile laundry structure 28 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station. Small part of plot is in residence district; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 223-34-BZ.

Premises: Northwest corner of Cross Island boulevard and 169th street (Block No. 5769, Lot. No. 1), Bayside, Borough of Queens.

A committee of the board inspected the premises for which a zoning variation is desired and the adjoining section on October 25, 1934, two days after the public hearing.

The committee found that several of the principal points stated by the applicant are greatly at variance with the actual facts. Instead of the neighborhood consisting "mostly of vacant land" and with "very few private dwellings within the area and, therefore, not enough background for the erection of stores", quite the contrary is the case. Without an inspection and from the photographs filed by the applicant, the applicant's contention would seem to be justified, but the photographs filed by those in opposition give an entirely different impression borne out by inspection.

This section is one of the latest developments in Queens, with approximately 100 houses either constructed and occupied or in course of erection. All are single-family houses of pleasing design and with landscaped grounds, and the section can be characterized as a high-grade development. Stores are lacking. The nearest shopping center is approximately one-half mile to the east, where gasoline is also available.

To permit a gasoline station at this point, even though, as the applicant states, "the property is strategically located" for that purpose, would be to ruin the section and bring about a great loss to the owners of these dwellings. Unquestionably this property under appeal can be developed with conforming uses, and there would be no justification for a permanent nor even a temporary variance under section 21 or section 7(f).

The decision of the Court of Appeals in the St. Albans case has no application to this area, which has ceased to be farm land and is now a developed community.

No consents have been filed, and in the opinion of the committee the thirty-three objections are well sustained.

The committee recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

357-33-BZ.

APPLICANT—DeRose and Cavalieri, for Ida M. Hewitt, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of a building used as a garage for more than five (5) motor vehicles and motor vehicle repair shop so as to include a gasoline service station.

PREMISES AFFECTED—3349-3357 East Tremont avenue, east side, 75 ft. south of Baisley avenue (Block No. 5311, Lot No. 8 and part of Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: George J. Cavalieri.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(357-33-BZ)

WHEREAS, this application affecting premises 3349-3357 East Tremont avenue, east side, 75 ft. south of Baisley avenue (Block No. 5311, Lot. No. 8 and part of Lot No. 11), Borough of The Bronx, was granted by the board March 27, 1934, on certain conditions, and owner requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on March 27, 1934, only so far as it has to do with the completion of work, so that as amended, this portion of the resolution shall read:

"That in view of statement by applicant that plans have been filed with and approved by the commissioner of buildings on June 14, 1934, all work shall be completed within one year from the date of this amended resolution; that other than as amended herein the resolution adopted by the board on March 27, 1934, shall be complied with in all respects."

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326-33-BZ.

APPLICANT—Sound View Properties, Inc., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Randall avenue and Sound View avenue (Block No. 3523, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis J. Moss.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(326-33-BZ)

WHEREAS, this application affecting premises south west corner of Randall avenue and Soundview avenue (Block No. 3523, Lot No. 34), Borough of The Bronx, was granted by the board December 19, 1933, on certain conditions, and owner requests an extension of time to complete the work.

Resolved, that the board of standards and appeals does hereby amend resolution adopted by the board on December 19, 1933, only so far as it has to do with the completion of work, so that as amended this portion of the resolution shall read:

"That in view of the statement by the president of the owning corporation that all plans have been filed with and approved by commissioner of buildings, all work shall be completed within one year from the date of this amended resolution; that other than as amended herein the resolution adopted by the board on December 19, 1933, shall be complied with in all respects."

390-19-BZ.

APPLICANT—Dominick Salvati for T. Even, present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) to permit the extension of the store use now in existence in a garage building previously granted by the board.

PREMISES AFFECTED—6902-6912 4th avenue, southwest corner of Bay Ridge avenue (Block No. 5872, Lot No. 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Dominick Salvati.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
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Negative	0
Absent	0

THE RESOLUTION—

(390-19-BZ)

WHEREAS, this application affecting premises 6902-6912 4th avenue, south west corner of Bay Ridge avenue (Block No. 5872, Lot No. 42), Borough of Brooklyn, was granted by the board June 26, 1919, on certain conditions, and Dominick Salvati, architect for present owner, requested an amendment of the resolution; and

WHEREAS, this request for reopening was the subject of an inspection by a committee of the board; and

WHEREAS, this inspection was made and the committee of the board recommends that the case be reopened.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on June 26, 1919, by adding thereto the following:

"That there may be constructed at the north east corner of the building, at the south west corner of 4th and Bay Ridge avenues, an enclosure separated with fireproof partitions of not less than 6-in. terra cotta blocks from the balance of the garage, and with no openings therein to the garage space, this enclosure to be used for store purposes for a conforming use, approximately 17 ft. in width along 4th avenue and 36 ft. along Bay Ridge avenue; that if show windows are constructed on the Bay Ridge avenue side, such show windows shall be within a distance of 25 ft. from the corner formed by the intersection of 4th avenue and Bay Ridge avenue, and that all other openings to Bay Ridge avenue shall conform to the resolution adopted June 26, 1919; and that other than as amended herein the resolution adopted by the board on June 26, 1919, shall be complied with in all respects."

184-29-BZ.

APPLICANT—B. C. Bloch, for Arenal Realty Co., owner, and 23 West 65th Street Corp., lessee.

SUBJECT—Application for reopening—extension of time to complete work—re Application (decision of the superintendent of buildings) under sections 7e and 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—42-46 West 66th street (Block No. 1118, Lot Nos. 48, 49 and 50), Borough of Manhattan.

APPEARANCES—

For Applicant: Ben C. Bloch.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative ..	0
Absent	0

THE RESOLUTION—

(184-29-BZ)

WHEREAS, this application affecting premises 42-46 West 66th street (Block 1118, Lots 48, 49 and 50), Borough of Manhattan, was granted by the board July 16, 1929, on certain conditions and time extended March 8, 1932, and July 18, 1933, and owner requests a further extension of time.

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Resolved that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on March 8, 1932, only so far as it relates to the completion of work, so that as amended the last clause of that resolution shall read:

"In view of statement by applicant that plans have been filed with and approved by the commissioner of buildings, all work involved shall be completed within eighteen months from the date of this amended resolution, that other than as amended herein the resolution adopted by the board on June 16, 1929, shall be complied with in all respects."

APPEALS FROM ADMINISTRATIVE ORDERS.

260-34-A.

APPELLANT—The Timken Silent Automatic Co., for Hoffman Estates, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—1491 Lexington avenue, northeast corner of East 96th street (Block No. 1624, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Appellant: None.

For Opposition: Arthur D. Peacock, William P. Falkenstein for Board of Transportation.

For Administration: Inspector Maher of department of buildings.

ACTION OF BOARD—Laid over to November 7, 1934, at 2 p. m., for appellant to file with the board an amended order from the commissioner of buildings.

293-34-A.

APPELLANT—William B. Linder, for Harold Levine, adjoining owner; Nation Wide Petroleum Corp., owner of premises affected.

SUBJECT—Appeal from a decision of the commissioner of buildings—re Revocation of Permit No. 7532-1934, issued by the commissioner of buildings.

PREMISES AFFECTED—6501-6505 Bay parkway and 2202-2212 65th street, southeast corner (Block No. 6578, Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Appellant: William B. Linder and James Butterly.

For Owner of Premises: Samuel Breslin and David Lang.

ACTION OF BOARD—Appeal granted, Permit No. 7532-1934 revoked.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(293-34-A)

WHEREAS, William B. Linder, attorney for Harold Levine, adjoining owner, filed October 17, 1934, an appeal with the Board of Standards and Appeals for a revocation of permit No. 7532 of 1934 issued by the commissioner of buildings affecting premises 6501-6505 Bay Parkway and 2202-2212 65th street, southeast corner (Block No. 6578, Lot No. 3), Borough of Brooklyn; and

WHEREAS, the premises consist of a plot of ground on the southeast corner of Bay Parkway and 65th street 60 ft. by 100 ft. in area. On this plot there formerly existed a one-story brick building with a frontage of 60 ft. on Bay Parkway and a frontage of 60 ft. on 65th street; a small

portion of this structure on the Bay Parkway front was occupied as a gasoline service station and the remainder of the premises as stores; there was an open yard in the rear of this building which was occupied by a police booth; and

WHEREAS, the appellant contends that he is appealing from a decision of the administrative official, to wit, the commissioner of buildings, Borough of Brooklyn, dated October 16, 1934, in reference to permit No. 7532 of 1934, which was issued by the commissioner of buildings, Brooklyn, N. Y., copy of which decision is hereinafter set forth:

"The City of New York
Office of the
President of the Borough of Brooklyn
Department of Buildings
EDWIN H. THATCHER, Commissioner.

October 16, 1934.

Mr. William B. Linder
291 Broadway, Manhattan.

Re: Southeast corner of 65th street and Bay Parkway.

Dear Sir:

In reply to your letter of October 9th on the above mentioned matter, please be advised that I do not see that the permission to use the property as a gasoline station has been invalidated.

There is no question about his right to the area that I can see.

Yours very truly,
EDWIN H. THATCHER,
Commissioner of Buildings, Brooklyn."

and

WHEREAS, the appellant further contends that he, Harold Levine, the owner of adjacent property will be irreparably injured if the permit issued by the Nationwide Petroleum Corporation, the present owner of the site in question is not revoked; that he, Harold Levine, owns the apartment house No. 2214 65th street, Borough of Brooklyn, adjacent to the premises in question, a 5-story apartment house with stores on the ground floor; that the permit issued should be revoked because it is in violation of section 6 of the building zone resolution; that the permit grants the extension of a non-conforming use in a business district and permits the entire demolition of the old 1-story taxpayer and also permits the installation of gasoline tanks and pumps in an area which has always been used and occupied by stores for business purposes, and that such variation can only be granted by the Board of Standards and Appeals; that the original building was erected in 1923 under permit No. 4752-1923; that there were gasoline tanks and pumps situated on the Bay Parkway side of this building and stores on both the 65th street and Bay Parkway fronts; that the stores and gasoline station were operated under two separate certificates of occupancy until June 16, 1933, when the operation of a gasoline station on Bay Parkway was abandoned. The Fire Department permit expired and the pumps removed and the premises occupied as fish market and food market until September 26, 1934; that in July, 1934, the Nationwide Petroleum Corporation of 51 Madison avenue, Borough of Manhattan, filed an application and plans under application No. 9254-1934 for the alteration of said premises and the erection of a gasoline service station, and that these application and plans were withdrawn; that thereafter new application and plans were filed for alteration of the existing building and the erection of a building approximately 20 ft. by 100 ft. for lubricating service and the installation of three additional tanks and six gasoline pumps on the 65th street side, approximately 60 ft. from Bay Parkway; and that the commissioner of buildings approved this said application and issued a permit August 14, 1934, No. 7532-1934; that the appellant contends further that inasmuch as the permit for the maintenance of a gasoline station expired in July, 1933, and that the prem-

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ises in question were entirely used and occupied for business purposes until September 26, 1934; that said premises reverted back to the business use and that the commissioner of buildings had no authority to issue a permit for the erection of a gasoline and service station on the entire area and the demolition of the building; that no alteration was made to the existing building because the old structure was entirely demolished with the exception of the most easterly wall abutting the Bay Parkway side of the property; that the cost of the original building, as shown on the application and plans No. 4752-1923 is \$7,000, and that the cost of the alleged alteration exclusive of the foundations is \$6,000; and

WHEREAS, it appears from the records of the Fire Department that N.B. Application No. 507-1923 was filed in the Bureau of Fire Prevention April 23, 1923, approved July 2, 1923, for an oil-selling station and stores, premises 6501-6505 22d avenue, southeast corner 22d avenue and 65th street, on a plot 60 ft. front by 100 ft. deep, with a building 60 ft. by 60 ft., one-story high; an inspection report dated July 10, 1923, indicates the installation of two 550-gallon tanks; an application 972-1923, approved September 27, 1923, provided for the installation of one additional tank. It further appears that oil-selling permits have been issued each year; that in 1929 an application was made for two additional 550-gallon tanks, approved February 6, 1929, the additional tank approved in 1923 not having been installed. It further appears from a memorandum attached to folder No. 30221-11 of the Bureau of Fire Prevention of the Fire Department, dated January 11, 1934, in an application for an automobile repair shop that "No. 6501 Bay Parkway, formerly occupied as an oil-selling station owned by Municipal Gas Company, is now vacant. Pumps removed, tanks sealed." and

WHEREAS, this appeal was considered by a committee of the board in executive session, this committee having also inspected the premises on October 25, 1934, a report of which inspection was read at the hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No. 293-34-A.

Premises: Southeast corner Bay Parkway and 65th street (Block No. 6578, Lot No. 3), Borough of Brooklyn.

This is an appeal from the decision of the commissioner of buildings, dated October 16, 1934, refusing to revoke permission to use as a gasoline service station this plot and proposed buildings at the southeast corner of Bay Parkway and 65th street, with a frontage of 60 ft. on Bay Parkway and 100 ft. on 65th street, as granted under application No. 9254-34 and permit No. 7532-34.

It appears from the records of the Department of Buildings and the Fire Department that on this plot, presumably vacant prior to 1923, there was erected, pursuant to plans filed and duly approved under permit No. 3108 of 1923, issued by the superintendent of buildings, a one-story combination store and gasoline service building with a frontage of 60 ft. on Bay Parkway and a depth of 60 ft. on 65th street. Permits were also duly issued by the Fire Department for gasoline storage tanks and pumps. While the application describes the property as 60 ft. by 100 ft., the building erected was 60 ft. by 60 ft., and the portion of this building used as a gasoline station consisted of a semi-circular alcove with an opening toward the building line on Bay Parkway of 36 ft. and a depth of 23 ft. 8 in., together with a driveway leading through the centre of the building to the rear wall thereof 8 ft. in width and 36 ft. 4 in. in length. On either side of the gasoline station portion of the building there were stores separated from the station.

It appears that this gasoline station was operated continuously under permits issued until June 16, 1933; that the abutting stores making up the balance of the building were occupied by various conforming uses and not as accessory to the gasoline station, and that the rear portion unbuilt upon was continuously vacant except for a small booth occupied at one time as a police booth, but at no time was this vacant space used as part of the gasoline station. There is some doubt as to whether the passageway 8 ft. wide opened into this vacant area. It may have at one time, with an exit driveway across the vacant lot to 65th street, as evidenced by a curb cut at that point, but it appears that this passageway was not used recently, if at all, for such purpose, but has been used as a part of the gasoline station for an office, a safe and storage of lubricating oil, precluding its use as a passage. The certificate of occupancy No. 21365, issued October 1, 1923, reads "Oil-selling station and stores—one building".

From June 16, 1933, to date the gas station has been out of use, and no permits for the sale of gasoline have been issued. This lapse is explained by the existence of foreclosure proceedings, purchase at foreclosure sale by the present owner (The Nationwide Petroleum Corporation), the filing of plans for reconstruction and the construction work which has proceeded to a point where the new station occupying the entire plot for gasoline selling area and buildings accessory thereto is approximately 50% completed.

In 1932 the superintendent of buildings approved plans for reconstruction of this building and enlargement of the gasoline-selling area, but as this work was not carried through within the year and the permit was not extended, this circumstance can be disregarded as having no bearing on this present question. It should be pointed out, however, that the approval of the plans by the then superintendent of buildings does not in any way furnish a legal justification for the approval of the present plans.

The question presented is whether the commissioner of buildings acted within his legal powers in issuing a permit for the proposed extension of the gasoline service station to cover the entire plot as against the former portion of the plot so used. The plot on which the gasoline station has been operated has been described as 60 ft. by 100 ft. not only in the original 1923 application but also in the Fire Department records. However, it is not the description of the plot but rather the use to which it is put that determines. It is clear that at no time has the entire plot been used as a gasoline station. The rear 40 ft. have been vacant and the stores on either side have been occupied as indicated on the 1923 plans—at all times for conforming uses in no way connected with or accessory to the gasoline station. It should be noted that the superintendent of buildings refused to permit an automobile repair shop in one of these stores because it is a non-conforming use prohibited in business districts, but allowed the upholstering of cars, having determined that that use was not classed as a motor vehicle repair shop.

Powers of the commissioner of buildings to modify the zoning resolution are confined solely to those set forth in section 6, but this section refers to non-conforming uses existing prior to 1916.

The maintenance of a gasoline station on this plot in a district zoned for business uses was legal up to June, 1925, when upon the adoption of the amendment prohibiting gasoline stations in business districts, the gasoline station became an existing non-conforming use, but no change was made in section 6 to include such non-conforming use in the same category as non-conforming uses existing prior to 1916.

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In 1923, the owner could have legally used the entire plot as a gasoline service station, but he chose to use only part of it, and after June, 1925, no extension of the existing non-conforming use could be permitted except by the Board of Standards and Appeals under sections 7 and 21. The Board of Standards and Appeals is clothed with discretionary power to grant variances in harmony with the purpose and intent of the zoning resolution. The administrative official is limited to a strict enforcement. He has no discretionary power as to those restrictions but must also interpret the zoning resolution in harmony with its general purpose and intent.

The spirit and intent of the zoning resolution is that non-conforming uses shall not be permitted nor extended except as the Board of Standards and Appeals may, in its discretionary power, grant relief in a case of practical difficulty and unnecessary hardship and in other cases as specifically provided for in the zoning resolution itself, to the end that vested rights in non-conforming uses shall not be destroyed nor crippled.

A committee of the board inspected this site on October 25, 1934, and have examined the available records of the Department of Buildings and the Fire Department, and recommend the decision of the commissioner of buildings in approving plans under 9254 of 1934, issuing permit under 7532 of 1934, be reversed.

(Signed) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, the board deemed that the appellant had substantiated the basis of his appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is *reversed*, and that the appeal be and it hereby is *granted*, revoking Permit No. 7532-1934.

277-34-A.

APPELLANT—John J. Gilmartin, for The Brooklyn Improvement Co., owner.

SUBJECT—Appeal from orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—109-113 West 45th street (Block No. 998, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Appellant: John J. Gilmartin.

For Administration: Inspector Maher of department of buildings, fire department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(277-34-A)

WHEREAS, John J. Gilmartin, for The Brooklyn Improvement Co., owner, filed September 28, 1934, an appeal from orders and a decision of the commissioner of buildings, affecting premises Nos. 109-113 West 45th street (Block No. 998, Lot No. 26), Borough of Manhattan; and

WHEREAS, the orders of the commissioner of buildings, dated July 16, 1934, reads: (Order No. 15552-F)

1. Provide 4-in. emergency drain valve.
2. Provide 2-in. overflow line.

3. Properly connect 4-in. standpipe riser to gravity tank.
4. Provide an O-S & Y gate valve on the down stream side of tank check.
5. Provide an approved check valve in supply line at upper level between tank and topmost standpipe outlet.
7. Disconnect house supply from standpipe riser and 13th story.

(Order No. 15553-F)

1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Sections 580-1, chapter 5, code of ordinances and rules of the Board of Standards and Appeals.

and

WHEREAS, the decision of the commissioner of buildings, dated September 25, 1934, reads:

"This will reply to your letter of August 20, 1934, in which you ask us to accept the present conditions relating to the above orders, due to the fact that it would be a hardship on the owners, and that you believe that existing conditions to have been accepted at the time of the erection of the building.

"Please be advised that these orders were issued in accordance with the requirements of the law, and your request must be denied."

and

WHEREAS, the building, erected in 1900, is fireproof, 12 stories and pent house (140 ft.) in height, 60 ft. by 89 ft. 8 in. in area; OCCUPIED: as a hotel; the pent house being occupied as office and help's room; and

WHEREAS, the building is provided with a standpipe system; the system is supplied from a 4,000-gallons capacity gravity tank which contains also the house supply; and

WHEREAS, appellant contends that the bottom of the tank is located 19 ft. above the outlet in top (12th) story; proposes to comply with items No. 2 and No. 5 of order No. 15552-F; as to item No. 7, proposes to rearrange conditions so as to provide a 2,500-gallons reserve for standpipe use instead of the required 3,500 gallons on account of the limited (4,000 gals.) capacity of the tank; as to Item No. 1, contends that an emergency drain valve is installed; as to item No. 3, contends that there is a check at the gravity tank, and as to item No. 4, contends that there is a valve connected in the horizontal run of the standpipe line at the tank on the roof; as to order No. 15553-F, contends that the distance between the tank and the outlet in the top (12th) story is but slightly less than the required 20 ft.

Resolved, that the orders and decision of the commissioner of buildings be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, as to order No. 15552-F, items 3, 4 and 7, *on condition* that the existing 3-in. line connecting the 4-in. standpipe riser with the gravity tank shall comply with the requirements of the standpipe fire-line rules of the Board of Standards and Appeals, except as to the size of the pipe, permitting this to remain 3 in. in diameter; that the house supply shall be discontinued entirely from the standpipe riser and that the house supply shall be connected into the standpipe tank about the 2500-gallon mark so that at all times there shall be not less than 2,500 gallons of water available for standpipe purposes only; *granted*, as to order No. 15553-F, permitting the gravity tank to remain at its present location, *on condition* that it is not less than 19 ft. above the outlet in the main or 12th, top story; that the hose nozzles in the pent house or 13th story shall be reduced to ½-in. diameter; that the pent house story shall be used only for help's locker room and storerooms, without living quarters; that such auxiliary fire-fighting appliances shall be installed in this 13th or pent house story as the commissioner shall direct; that items 1, 2 and 5 of order No. 15552-F shall be complied with and that rule 91 of the

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standpipe fire-line rules of the Board of Standards and Appeals shall be complied with in all respects other than as modified herein.

APPLIANCES SUBMITTED FOR APPROVAL.

294-34-SA.

PETITIONER—Ansonia Fire Prevention Eng. Co., Inc., for N. Dickstein Co., Inc., owner.

SUBJECT—Prestomatic Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the board and bureau of combustibles, fire department, for test and report.

32-31-SA.

PETITIONER—Rhode Island Welding Company.

SUBJECT—Ray-Dio Sunshine Range and Stove Burner—restoration to calendar, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition restored to calendar, referred to engineer of board and bureau of combustibles, fire department, for test and report.

765-26-SA.

PETITIONER—Westinghouse Electric Supply Co., Inc., owner.

SUBJECT—Marr Oil Burner, Model H, Type R—Amendment—to approve.

APPEARANCES—

For Petitioner: Earl Marr.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(765-26-SA)

WHEREAS, this petition for the approval of the device known as Marr Oil Heat Machine was granted by the board June 10, 1927, approving the Marr Oil Heat Machine; and

WHEREAS, the owner now requests the substitution of the present model Marr Oil Burner, model H, type R, for the former model approved by the board; and

WHEREAS, this new model was the subject of an inspection and test by the engineer of the board and the representative of the bureau of combustibles of the Fire Department, whose report recommends the approval of the new model.

Resolved, that the resolution adopted by the board on June 10, 1927, be *amended*, by adding thereto, the following paragraph:

"That on and after October 30, 1934, the heating device, approved in the above paragraphs, shall be discontinued, and that there shall be substituted therefor a new model, hereby approved, known as the Marr Oil Burner, Model H, Type R, for use in domestic and commercial installations, when installed in accordance with the oil burner rules of the Board of Standards and Appeals and for use with oil not heavier than No. 3; that there shall be on each burner hereafter installed a plate permanently affixed, reading 'approved by the Board of Standards and Appeals for use in New York City under Cal. No. 765-26-SA'."

350-32-SA.

PETITIONER—Gilbert & Barker Manufacturing Co., owner.

SUBJECT—Master Fuel Oil Burner—amendment—for change of name.

APPEARANCES—

For Petitioner: Henry Vogeler.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(350-32-SA)

WHEREAS, this petition for the approval of the Dovel Master Fuel Oil burner was granted by the board July 24, 1932, and the device approved; and

WHEREAS, the name of the device was changed to Master Fuel oil burner by vote of the board July 5, 1933, and owner now requests a further change of name.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on June 5, 1933, so that as amended there shall be added the following paragraph:

"That after October 30, 1934, this burner may be marketed under the name of Gilbarco Industrial Burner for use in domestic and commercial installations and constructed in accordance with the plans and drawings and descriptions as filed under this calendar number on June 15, 1932, and when installed in accordance with the oil burner rules of the Board of Standards and Appeals, and for use with fuel oil not heavier than No. 5; that there shall be permanently attached to each burner installed a label reading: 'Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 350-32-SA'."

184-34-SA.

PETITIONER—David Kaufman, for Vapofier Corp., owner.

SUBJECT—Vapofier Oil Burner, approval of.

APPEARANCES—

For Petitioner: David Kaufman.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(184-34-SA)

WHEREAS, David Kaufman, for Vapofier Corp., owner, filed June 22, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Vapofier Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

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WHEREAS, the report of the engineer of the board and of the representative of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The Vapofier Oil Burner converts fuel oil into a vapor which when conducted to burners burns similar to the burning of manufactured or natural gas.

The Vapofier Oil Burner assembly consists essentially of a vaporizing bowl, float chamber, venturi assembly and control and burner manifold.

The use of this burner is restricted to industrial purposes, such as furnace boilers and various other industrial heating appliances. The machine is equipped with necessary regulating devices to govern the amount of oil vaporized to the amount consumed.

The vaporizing bowl is a cast gray iron chamber, sealed with aluminum asbestos gaskets, whose function is to convert liquid fuel into a vapor gaseous state. A concentric tube inside serves as a passage of the products of combustion from a pilot light to the lower portion of the bowl. The lower portion of the bowl contains liquid fuel fed from a constant level float valve enclosed chamber. It also has a drain and a scraper attached to an exterior handle, used during a cleaning process. The upper portion of the vaporizing bowl is shaped in the form of a neck of a bottle and contains a butterfly quality control valve which controls the supply of vapor to the burners.

The float chamber contains a constant level valve and float and a strainer. It is set in a predetermined position with respect to quantity of liquid in the float chamber, and since it is atmospherically enclosed, its upper end is connected to center portion of the bowl to equalize the partial vacuum in both assemblies.

The venturi assembly is constructed of cast iron and bolted to the top of the vaporizing bowl. The outer end is flanged for attachment to the burner manifold. A malleable iron nozzle is threaded into the venturi for the attachment of a single sweep pipe tee to which air intake pipe is attached. A cone-shaped rod sliding through the air inlet tee serves as one adjustment of the gas-air mixture. This is operated by a lever arm attached to a large diaphragm which is actuated by the vapor-air mixture in the burner manifold. A connecting rod between this lever arm and the butterfly quality control valve near the top of the vaporizing bowl controls the amount of vapor to admit to the venturi chamber. The setting of the butterfly valve may be changed manually to change the quality of the vapor-air mixture and thus obtain a reducing, neutralizing or oxidizing flame.

The burner manifold which conveys the mixture of air and vapor to burner is constructed of cast iron and attached to the venturi assembly. An integral passage by-passes some of the mixture to a pilot light, which serves to keep the vaporizing chamber at the proper operating temperature. A guard surrounds the pilot light. The amount of mixture by-passed is regulated by a butterfly valve. From the manifold the vapor-air mixture passes on to the burners. Condensed vapors are bled off from the manifold and returned to the base of the vaporizing bowl.

In starting the Vapofier the air supply (at about 14 ounces pressure) is turned on and a slight vacuum is created within the vaporizing bowl by the air blast passing through the venturi. The pilot light guard is then moved horizontally to the right to open, and a small city gas burner is lighted and positioned under the pilot light so that the heat from this burner is drawn into the vaporizing chamber, thus preheating it. After from two to three minutes of preheating, the oil supply is turned on and rises to the constant level and maintained by the float valve. The hot vaporizing bowl causes the oil to become vaporized, and this vapor passes upwards through the vapor quality control valve into the premixing chamber where it is

premixed with air. It then passes through the manifold to the burners where it may be ignited. After the two or three minute preheating period the pilot light through which a portion of the vapor-air mixture generated is by-passed becomes self-maintained, and the city gas burner may be shut off. The cycle now becomes continuous until the Vapofier is shut down. The pilot light guard may now be locked in position. The quality control can then be adjusted to obtain the flame desired.

The diaphragm controls the volume of air automatically as the demand for the vapor-air mixture is increased or decreased at the burners.

At the time of the test the machine was in operation and the various controls on the machines were operated by increasing and decreasing the consumption of the oil. This test showed that they operated properly. The operation of this burner must at all times be under the supervision of the person holding certificate of fitness issued by the bureau of combustibles, New York Fire Department.

It is recommended that the Vapofier Oil Burner be approved for industrial purposes only, when installed in accordance with the oil burner rules adopted by the Board of Standards and Appeals on June 15, 1934.

Resolved that the Board of Standards and Appeals does hereby *approve* the Vapofier Oil Burner for use in industrial installations, when installed in accordance with the oil burner rules of the Board of Standards and Appeals, and that there shall be attached to each device a name plate permanently affixed stating that this device has been approved by the Board of Standards and Appeals for use in New York City under Cal. No. 184-34-SA.

213-34-SA.

PETITIONER—Grant Manufacturing Corp., owner; G. Sivertsen, agent.

SUBJECT—Grant Syphon Breaker, approval of.

APPEARANCES—

For Petitioner: G. Sivertsen.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(213-34-SA)

WHEREAS, G. Sivertsen, agent for Grant Manufacturing Corp., owner, filed July 20, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Grant Syphon Breaker; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The Syphon Breaker consists of a piece of 1-3/16 in. hexagonal brass 2½ in. long in which has been bored a plain smooth hole ½ in. in diameter. In this hole there is lapped a close fitted plug 1¾ in. long on the surface of which there has been machined a screw-like thread over the entire length. When the plug is in the hole in the body of the breaker we have in effect a long, fine orifice through which air passes continually when the burner is in operation but the length and size of the orifice is such as to offer con-

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siderable resistance to the air and hence no large volume of air is admitted to the suction line. There are no moving parts in this mechanism and inasmuch as air is always admitted to the suction line there can be no syphoning after the burner shuts down.

The valve was installed in a pipe line 12½ in. above the suction inlet of the fuel oil pump. The pet cock was installed 3 in. above pump connection. The system was operated, by means of a glass tube which was installed in the pipe line we observed the flow of oil through the system. When the pet cock was opened representing a break in the suction line the Syphon Breaker operated and only permitted the oil in the pipe between it and the pump to leak out. This test was repeated the second time, with the same results.

It is, therefore, recommended that this Syphon Breaker be approved for the use for which it has been designed, when installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Grant Syphon Breaker when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and *only* when installed with the Grant Oil Burner as approved under Cal. No. 382-26-SA; that this device shall carry a label permanently affixed, reading:

"Approved by the Board of Standards and Appeals for use in New York City with the Grant Oil Burner under Cal. No. 213-34-SA."

251-34-SA.

PETITIONER—No-Wyck Products Corp., owner.

SUBJECT—No-Wyck-Koaless Range and Stove Oil Burner, approval of.

APPEARANCES—

For Petitioner: J. W. Newberry.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(251-34-SA)

WHEREAS, No-Wyck Products Corp., owner, filed August 28, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the No-Wyck-Koaless Range and Stove Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representative of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner consisted of a two-gallon glass bottle covered with a perforated steel jacket. The burner device consisted of two iron ring castings having concentric wheels of ¾ of an inch in height. On top of this casting is gritted four cylindrical perforated cylinders. The burner unit has a separate supporting iron stand with the necessary set screws for levelling purposes. The stand was securely bolted to the ashpit of the range. On top of the vaporizing cylinders there is an iron cover having twelve perpendicular iron rods projecting into the spaces between the cylinders. The purpose of these rods is to conserve

and hold the heat. The regulating valve is of the V-slot type and manufactured by the No-Wyck Products Corporation. The base of the burner units is enameled inside and out. The bottle is securely fastened to the stand by means of two rods and clamped on the bottle frame. The burner was operated with one unit lighted for approximately twenty minutes; full supply of oil was then turned on in the second section. There was no explosion or puffs. After about nine minutes the second burner ignited quietly. The proper tubing used on this burner is extra-heavy 5/16 of an inch in diameter.

The burner submitted for this test was equipped with an asbestos metallic wick. However, the applicant wished to use this burner without such a wick, igniting the burner by means of a funnel and alcohol. This method of ignition is not recommended for approval and I recommend that the only type to be approved should be the type having the metallic wick.

It was recognized that in these burners, there were inherent possible hazards due to location and operation. In recommending these burners for approval it is suggested that certain recommendations be carried out in their installation and incorporated on their instruction card which must be placed near the burner.

Resolved, that the Board of Standards and Appeals does hereby *approve* the No-Wyck-Koaless Range and Stove Oil Burner, *on condition* that this device shall be equipped with an asbestos, metallic protected ring serving as a wick and shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping of BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage container shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by a shield of at least ½-inch asbestos or other equivalent material, this shield to extend at least 12 inches beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

APPROVED BY THE

BOARD OF STANDARDS AND APPEALS

UNDER CAL. NO. 251-34-SA.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

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298-33-SA.

PETITIONER—American Gas Machine Co., Inc., owner.
SUBJECT—American Blue Flame and Sun Flame Oil
Burning Heaters, Models 73, 86, 88, 92, 93, 94
and 95—approval of.

APPEARANCES—

For Petitioner: E. L. McFarland and A. S.
Jorgensen.

ACTION OF BOARD—Appliance approved in accordance
with report of the engineer of the board and the
bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commission-
ers Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(298-33-SA)

WHEREAS, American Gas Machine Co., Inc., filed Sept.
14, 1933, a petition with the Board of Standards and Ap-
peals, for approval of the device known as the American
Blue Flame and Sun Flame Oil Burning Heaters, models
73, 86, 88, 92, 93, 94 and 95; and

WHEREAS, the device was submitted to the engineer of
the board and the bureau of combustibles of the fire de-
partment for test and report; and

WHEREAS, the report of the engineer of the board and
of the representatives of the bureau of combustibles, ap-
proved by the acting deputy chief of department in charge
of bureau of combustibles, was substantially as follows:

The burner consists of a vaporizing bowl made of
cast iron and porcelain. Above the bowl and setting
into it are perforated cylinders, 7 inches in height.
These are held in place by a ring permanently bolted
into place. The oil vaporizing in the bowl mixes with
the outer air through the vaporizing cylinders. There
are two sizes of bowls used, depending upon the size
of the heater, namely, one of 8 inches and one of 10
inches in diameter. The level of the oil is maintained
by a metering valve at not more than one-half inch.
As an additional safeguard, these burners are equipped
with genuine Detroit Lubricator Constant Level Valve.
The fuel oil storage tank is located at the rear of the
heater and between the tank and the walls of the
heater there is a double air space, allowing the free
circulation of air, thus preventing any abnormal rise
in temperature of the oil in the storage tank. Tank
is permanently fixed to the back of burner unit.

The models American Oil Burning Heater, Nos. 73,
86, 88, 92, 93, 94 and 95, were inspected under operat-
ing conditions and during the period of this inspection
and test there was no abnormal flooding of oil in the
bowl and constant level valve functioned as required.

In recommending these space heaters and burners
for approval, it is suggested that the following recom-
mendations be carried out in their installation and in-

corporated on the instruction card which must be placed
near the burner:

1. Only safety cans approved by the New York fire
department shall be used for storage and filling
of oil containers.
2. The storage container must bear a label of the
Delcalcomania type reading as follows:

NOTICE

FOR USE IN NEW YORK CITY
ONLY AN APPROVED SAFETY CAN SHALL
BE USED IN FILLING THIS
STORAGE CONTAINER.

3. Floor beneath the oil burning device shall be
protected by an ½-inch asbestos or other equiva-
lent shield, extending at least 12 inches beyond
the outline of such device.

As these burners and heaters were installed in ac-
cordance with the provisions of the Oil Burner Rules
adopted by the Board of Standards and Appeals on
June 15, 1934, it is recommended that same be ap-
proved for use in domestic and commercial installa-
tions for use with oil not heavier than No. 3, *on con-
dition* that there shall be attached to each device a
name plate permanently affixed stating that this device
has been approved by the Board of Standards and
Appeals for use in New York City under Cal. No.
298-33-SA.

Resolved, that the Board of Standards and Appeals does
hereby *approve* the American Blue Flame and Sun Flame
Oil Burning Heaters, Models 73, 86, 88, 92, 93, 94 and 95,
on condition that these burners shall be constructed in
accordance with description filed with this application and
as covered by report of Engineer of Board of Standards
and Appeals and representative of bureau of combustibles,
for use in domestic and commercial installations, provided
any commercial installations shall not be used in occu-
pancies deemed hazardous by the fire chief and commis-
sioner, and that there shall be installed to each oil con-
tainer, permanently affixed, a decalcomania or other ap-
proved type of label reading:

"NOTICE: Approved by the Board of Standards
and Appeals for use in New York City, under Cal.
No. 298-33-SA. Only an approved safety can shall
be used in filling this container."

and that only approved safety cans shall be used for
filling the fuel oil containers and that the floor beneath
the oil burning device shall be protected by a shield of
asbestos or other equivalent material not less than ½-inch
in thickness extending at least 12 inches beyond the out-
line of the heater in all directions.

Adjourned, 5:10 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

Applicants, under the building zone resolution, are en-
titled to one copy only of Form 7NO.

If they desire additional copies, for their own con-
venience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and
Appeals, Room 1018, Municipal Building, Manhattan, at
three cents each—postage to be added if the forms are
forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Dis-
tribution Division of the City Record Office, Room 2213,
Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Dis-
tribution Division of the City Record Office, Room 2213,
Municipal Building, Manhattan. Price 30c; by mail 35c.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 9, 1934, as they appeared in Bulletin No. 42, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(219-34-SA)

WHEREAS, the Florence Stove Company, owner, filed July 9, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Florence Range Burners; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On September 28, 1934, Mr. John Dixon, acting chief Inspector, and Mr. Charles Johnson, assistant inspector of combustibles, and Mr. Leslie V. Huber, chief engineer of the Board of Standards and Appeals, visited the plant of the Florence Stove Company for the purpose of examining and testing the Florence Range Burners.

Before the burners proper were tested, a complete inspection of the method of manufacture, test and supervision was made, and we found that all care is exercised in order to turn out a first class product.

The burner proper consists of a cast iron base having two pair of concentric rings with walls $\frac{3}{4}$ in. in height, there being four perforated chromium steel rings inserted therein, with the inner and outer rings separated by an asbestos wick.

The burner unit proper consists of two units and on top of the rings are placed two steel covers. We have been informed that there is 16 per cent. chromium in the steel.

The base of the burner proper is bolted to the ash pit of the stove and set level by means of two adjusting screws. The storage container is of 24 U.S. gauge metal and of three-gallon capacity. It rests in an oil bowl 4 in. deep by $8\frac{1}{2}$ in. in diameter, which bowl is set on a heavy standard which can be securely bolted to the floor. This bowl has sufficient capacity to take up excess oil caused by possible expansion due to heat.

The metal storage container is held in place by a ring that automatically locks itself when falling into the vertical position, thus securely holding the metal container to the stand. The valve used is manufactured by the Wooster Taper Pin Company, and is of a "V" shape slot type, permitting the entrance of the oil when turned on and shutting it off positively by a taper valve about $\frac{9}{32}$ in. in diameter.

The copper tubing used on this burner is extra heavy, about $\frac{3}{16}$ in. outside diameter with walls .049 in thickness. An open pipe is provided in which the lighter tube can be placed when not in operation.

Test:

The container was tested under air at 10 pounds pressure. No distortion occurred, however, until the pressure reached 7 pounds. The distortion consisted of a slight bulge in the head. However, with this type of oil feed, no pressure would be developed under ordinary use.

One of the burner units was operated for over 30 minutes and for 10 minutes a full supply of oil being

turned on. After 25 minutes, the valve controlling the oil supply to the dual unit was turned on and after the lapse of about five minutes, it ignited from the other burner with no puff or explosion.

This range burner and similar devices, are of the atmospheric pressure type. The oil level in the bowl from the storage container is set at about $\frac{3}{16}$ in. above the bottom of the burner proper. After the cast iron base is heated, like other burners of its type, the oil is vaporized and burned in that state about the chromium rings.

It was recognized that in these burners there were inherent possible hazards due to location and operation by unskilled persons, and in recommending these burners for approval certain recommendations were made.

As this burner complies with the Oil Burner Rules of the Board of Standards and Appeals therefore recommended for approval when installed in accordance with such rules and the recommendations as to installation which shall be placed on instruction cards kept near each burner installation.

WHEREAS, this burner has been approved by the Underwriters Laboratories, Guide No. 300-10-19, File M.P. 735.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Florence Range Burners *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals, also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by shield of at least $\frac{1}{2}$ -in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 219-34-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

* Correction—word "outlets" changed to "outline" in subdivision 9 of recommendations.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 9, 1934, as they appeared in Bulletin No. 42, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(238-33-SA)

WHEREAS, David Kaufman, for Lynn Products Co., owner, filed June 28, 1933, a petition with the Board of Standards and Appeals, for approval of the device known as the Lynn Range Burner, Models Junior, Lypre and De Luxe; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On September 13, 1934, Mr. John F. Dixon, acting chief inspector, bureau of combustibles, Mr. Charles E. Johnson, assistant inspector, bureau of combustibles, and Mr. Leslie V. Huber, chief engineer of the board, visited the premises 103 Center street, Borough of Manhattan, and inspected and tested the Lynn Range Burner in operation.

These burners consist essentially of a glass bottle mounted upon a stand connected to controlled valve and the burners proper which are installed inside the fire box of the range. The base of the burner consists of an iron casting of concentric rings with walls $\frac{3}{4}$ of an inch in height. Into these rings there are set perforated vaporizing cylinders, these cylinders having metal covers which hold them in position and the outer and inner series are equipped with asbestos wicks.

The oil level is regulated at the time of installation, the cup of the stand supporting the glass bottle being about $\frac{1}{8}$ of an inch higher than the level of the burner ring. When this level is found the burner and cup are secured in place by means of Allen set screws. The two gallon supply bottle is equipped with a metal cover having two hand grips on it, and it is securely fastened to the stand by a locking collar.

The piping connecting the bottle to the burner was enclosed in "BX" cable securely fastened to the floor by means of incombustible fasteners.

The copper tubing used is extra heavy 5/16 of an inch in outside diameter. The valves used are manufactured by the Lynn Products Company and are of the "V" Slot Principle, affording a fine control of the oil.

One of the burning units was started and allowed to burn until maximum heat was generated. The second unit was then turned on fully, and in approximately five minutes the oil in it was vaporized sufficiently that it was ignited by the heat from the first unit without any severe puff back.

* Correction—Word "outlets" changed to "outline" in subdivision 9 of recommendations.

We recognized in these burners, the inherent possible hazards due to location and operation. In recommending these burners for approval, we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As this burner complies with the Oil Burner Rules adopted by the board June 15, 1934, it is recommended that same be approved with the recommendation submitted.

WHEREAS, this burner has been approved by the Underwriters Laboratories Guide No. 300-10-19, File MP 733.

Resolved, that the Board of Standards and Appeals does hereby approve the Lynn Range Burner, Models "Junior," "Lupre" and "DeLuxe" on condition that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage container shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by shield of at least $\frac{1}{2}$ -inch asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 238-33-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held Tuesday, October 9, 1934, as they appeared in Bulletin No. 42, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(200-34-SA)

WHEREAS, David Kaufman, for Fox Engineering Co., owner, filed September 9, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Fox Range Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles, of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On September 21, 1934, Mr. John Dixon, acting chief inspector, and Mr. Charles Johnson, assistant inspector of the bureau of combustibles, and Mr. Leslie V. Huber, chief engineer, Board of Standards and Appeals, visited the premises, 153 Centre street, for the purpose of inspecting and testing the Fox Range Oil Burner.

This burner consists of a two gallon glass bottle covered with a perforated steel jacket having two hand grips. The burner device consists of two iron castings having concentric walls $\frac{3}{4}$ of an inch in height. On top of this casting is fitted four cylindrical perforated tubes. Each burner unit has a separate supporting iron stand with necessary set screw for leveling purposes. These stands were securely bolted to the ash pit of the range. The burner is equipped with the Hartford Machine Screw Company's regulating valve. The metal stand of the burner was securely fastened to the floor and protected with a "BX" cable.

The burner operated with one lighter for approximately 20 minutes. A full supply of oil was then turned on for the second section. There was no explosion or puffs. After about four minutes, the second burner ignited quietly. The copper tubing used on this burner is extra heavy 5/16 of an inch in diameter.

There was recognized in these burners, the inherent possible hazards due to location and operation. In recommending these burners for approval it was suggested that certain recommendations be carried out in their installation and incorporated on the instruction card which should be placed near each burner installed.

As this burner was installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, it is recommended that the same be approved with the recommendation submitted.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Fox Range Oil Burner *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals, and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.
2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.
3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.
4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.
5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.
6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.
7. Only approved safety cans shall be used for the storage and filling of oil containers.
8. Storage container shall not be filled in same room when and where burner is in operation.
9. Floor beneath oil burner device shall be protected by shield of at least $\frac{1}{2}$ -inch asbestos or other equivalent material, this shield to extend at least 12 inches beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.
10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS
UNDER CAL NO. 200-34-SA

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS

A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly.....	250-34-SA	Kolrid Range Burner.....	48-34-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
Florence Range Burners.....	219-34-SA	No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA
Fox Range Oil Burner.....	200-34-SA	Silent Glow Range Oil Burner.....	172-34-SA
		Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Air-Blast Oil Burner.....	579-32-SA	Maxon Oil Burner (New Style).....	1036-22-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	May Oil Burner.....	68-24-SA
Auto-Heat Oil Burner.....	284-33-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1.....	359-33-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Morse Fuel Oil Burner.....	820-23-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	National Airoil High Pressure Burner.....	185-29-SA
Berggren Oil Burner.....	764-26-SA	National Airoil Low Pressure Burner.....	186-29-SA
Best Calorex Burner.....	1464-21-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Nichols-McCann-Harrison Burners.....	255-31-SA
Bock Oil Burning Water Heater.....	102-34-SA	North American Low Pressure Oil Burner...	792-26-SA
Brighton Oil Burner	372-33-SA	Oilbilt Burner.....	85-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Oronoque Oil Burner.....	394-30-SA
Burnwell Mechanical Burner.....	957-22-SA	Packard Fuel Oil Burner.....	77-34-SA
Caloroil Burner, Type AA.....	1361-24-SA	Paramount Oil Burner, Model A.....	617-30-SA
Carter Oil Burner, Models 4X and 5X.....	117-34-SA	Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Petro Model W Oil Burner.....	452-31-SA
Coen Mechanical Oil Burner.....	942-21-SA	Petro Mechanical Burner and Air Register...	735-24-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH.....	614-32-SA
D'Elia Oil Burner.....	155-31-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
DeWalt Oil Burner.....	541-31-SA	Quigley No. 10 Low Pressure Oil Burner...	436-31-SA
Doe Oil Burner.....	317-31-SA	Quinn Oil Burning Equipment.....	367-21-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Enco Mechanical Oil Burner.....	509-30-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Fess Turbine Burner and Airoil Fan and Pump Set	26-22-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Forsdraft Oil Burner	41-34-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Frankfort Type P Oil Burner.....	1046-23-SA	S. K. Oil Burner, Model F.....	369-33-SA
Gem Fuel Oil Burner.....	111-26-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Simplex Turbine Fuel Oil Burner.....	1203-22-SA
Ghapco Steam Generator.....	348-31-SA	Standadyne Oil Burner.....	34-34-SA
Gilbert & Barker Fuel Oil Burner.....	1636-21-SA	Steam Oil Burner.....	183-22-SA
Gold Star Oil Burner, Models F and S.....	166-33-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Sun Heat Oil Burner.....	603-29-SA
Grant Oil Burner, Model "C".....	232-32-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
GRD Fuel Oil Atomizer.....	128-27-SA	Sunway Oil Burner.....	624-30-SA
Hammond Oil Burner.....	72-31-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Harris Fuel Oil Burner.....	690-30-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Hart Oil Burner, Model "H".....	221-33-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Hauck Venturi Low Pressure Oil Burner...	88-27-SA	Timken Rotary Oil Burner.....	297-29-SA
Hayward Oil Burner.....	696-30-SA	Timken Silent Automatic Oil Burner, Model G	266-34-SA
Hobeco Oil Burner.....	1278-21-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Holby Oil Burner.....	328-27-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Holby Type B Fuel Oil Burner.....	689-29-SA	Todd Spiro Oil Burner.....	470-31-SA
Hupp Oil Burner, Models H, U, P and PP...	10-34-SA	Todd Spiro Burner (pump type).....	94-32-SA
Induslo Fuel Oil Burner 1-27.....	5-24-SA	Todd Steam Atomizing Fuel Oil Burner....	123-23-SA
Kelvinator Oil Burner, Model K.....	105-34-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Kreager Oil Burner.....	367-30-SA	Vapofier Oil Burner.....	184-34-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA	Vaporoil Burner	44-32-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Warner Oil Burner, Model A.....	16-34-SA
Liberty Automatic Heater.....	129-28-SA	Wheco Oil Burner.....	108-34-SA
Liberty Pressure Oil Burner.....	75-34-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Lientz Oil Burner.....	155-20-SA	Wizard Automatic Oil Burner.....	181-33-SA
Lonergan Automatic Oil Burner.....	208-33-SA	Yorktown Oil Burner.....	166-33-SA
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA		
Magna Fuel Oil Burner.....	197-33-SA		
Mahrvel Low Pressure Burner.....	859-26-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

245-34-A—West Side of Vernon boulevard, 90 ft. north of 43d avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

Appliances Submitted for Approval.

1249-22-SA—Coen Steam Atomizing Oil Burner.

628-23-SA—Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15.

443-26-SA—American Anti-Syphon Valve.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Range Oil Burner.

491-31-SA—Superfex Oil Burning Heater.

209-32-SA—Croker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

62-33-SA—Florence Oil Heater, Models GC-6, GC-7, GS-27 and CH-28.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

271-33-SA—Perfect-Pantex Oil Burner.

349-33-SA—Herco Oil Burner.

32-34-SA—Super Oil Burner for Pressing Machine.

53-34-SA—Automatic Airless Oil Burner, Model No. 1.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

155-34-SA—Midget Oil Burner.

156-34-SA—Allen's Siamese Connections for Fire Department use.

165-34-SA—Rose Oil Heater.

181-34-SA—Genuine Detroit Constant Level Valve, Models CRC160, CRC180, CRC150, CRC350 and CRC550, Types A-D-H-K-L-M-S, S-1, S-2 and V-1-2-3-4.

182-34-SA—Genuine Detroit Anti-Syphon Valve, Model CRC100, Types V and S.

183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.

203-34-SA—King Oil Burner.

205-34-SA—Automatic Firetox Extinguisher.

208-34-SA—Globe Oil Burner Pump.

221-34-SA—The Ohio Pattern Works Foundry Co. Curb Fill Box (Gasoline).

224-34-SA—Progressive Press Machine Oil Burner.

234-34-SA—Bland Range Oil Burner.

236-34-SA—Air-O-Flame Range Burners.

256-34-SA—"Standard" One-Piece Closet Combination.

263-34-SA—Lonergan Oil Burning Heater, Models F-2, F-3 and C-4.

270-34-SA—Zenith Oil Burner.

274-34-SA—B. & H. Radiant Stove Oil Burner.

275-34-SA—Vapomatic Oil Burner.

294-34-SA—Prestomatic Oil Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.	
Cases pending December 31, 1933.....	212
Cases filed up to October 31, 1934.....	306
Restored to Calendar.....	81
MISCELLANEOUS APPLICATIONS.	
Requests to reopen.....	260
Requests to amend.....	87
Requests for modification.....	1
Requests to rescind.....	0
Requests for extension of time.....	53
Requests for extension permit.....	12
Requests for mechanical installations.....	0
Requests for approval of plans.....	11
Administrative requests	0
Requests for interpretation.....	1
Total.....	1,024
Disposed of	841
Cases pending October 31, 1934.....	183

DISPOSITION OF CASES.	
Withdrawn	37
Dismissed	13
Denied	117
Granted	1
Granted on condition.....	154
Appliances approved	62
Appliances dismissed, disapproved or withdrawn. ...	31
Rules approved	1
Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS ACTIONS.	
Requests to reopen granted.....	227
Requests to reopen denied.....	19
Requests to amend granted.....	87
Requests to amend denied.....	0
Requests for modification granted.....	1
Requests for modification denied.....	0
Requests to rescind granted.....	0
Requests to rescind denied.....	0
Requests for extension of time granted.....	53
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Requests to install denied.....	0
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Administrative requests granted.....	0
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Interpretations	1
Requests withdrawn or dismissed.....	14
Total.....	841

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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NOV 20 1934

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, November 7, 1934, at 2 P. M.

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Approved Burners for Domestic and Commercial Use.

Approved Fuel Oil Pumps.

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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Tuesday, November 13, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, November 19, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to November 7, 1934.

Cal. No.	Department.	Premises Affected.
310-34-BZ.....	D.B.B.....	4204-4308 Atlantic ave., S.S., from Beach 42nd st. to Beach 43rd st. (Block 7041, Lots 1 and 30), Brooklyn. Applic. 14938-34.
309-34-SA.....	F.D.....	Hupp Range Oil Burner, Mod- els S.D. and C.D., Appliance.
308-34-SA.....	F.D.....	Blue Glow Range Oil Burner, Models Supreme & DeLuxe, Appliance.
307-34-A.....	D.B.B.....	2973-3011 Cropsey ave., N.E. cor. Coney Island Creek (Block 6997, Lots 330, 331, 333, 300, 310 and 312), Brook- lyn. Applic. 14296-34.

Restored to Calendar.

116-30-BZ.....	D.B.Bx....	1401 Grand Concourse and 154 East 170th st., S.W. cor. (Block 2842, Lot 59), The Bronx. Alt. 420-34.
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

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	Last Publication in Bulletin
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Concrete Flat Slabs, Rules.....	June 6, 1933—Vol. 18 No. 23
Concrete Rules (Hydrated Lime).....	Oct. 9, 1934—Vol. 19 No. 41
Elevator Rules.....	July 3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
Fire Alarm Rules (Interior).....	Sept. 26, 1933—Vol. 18 No. 39
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Paint, Varnish and Lacquer Spray- ing Rules.....	Apr. 17, 1934—Vol. 19 No. 16
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Refrigerating Systems, Extract C. O. Feb.	13, 1934—Vol. 19 No. 7
Smoking in Factories, Rules for.....	Dec. 5, 1933—Vol. 18 No. 49
Sprinkler Rules.....	Jan. 16, 1934—Vol. 19 No. 3
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Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

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Fireline Hose Valves.....	Nov. 13, 1934—Vol. 19 No. 46
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Fuel Oil Burners for Domestic and Commercial Use.....	Nov. 13, 1934—Vol. 19 No. 46
Fuel Oil Burners for Industrial Use.....	Nov. 6, 1934—Vol. 19 No. 45
Fuel Oil Pumps.....	Nov. 13, 1934—Vol. 19 No. 46
Paint, Varnish and Lacquer Spray- ing Equipment.....	Apr. 17, 1934—Vol. 19 No. 16
Range Oil Burners.....	Nov. 13, 1934—Vol. 19 No. 46

COURT DECISION.

Matter of Cirrito (Board of Standards and Appeals)—May 2, 1933, Board denied gasoline station in residence district, under section 21, Cal. No. 14-33-BZ; Premises S.S. Conduit boulevard, 19 ft. 9 in. west of Crescent street, Brooklyn. Mr. Justice Smith affirmed Referee's Report and reversed board. (N. Y. L. J., Nov. 2, 1934.)

NOVEMBER 13, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 13, 1934, at 10 o'clock*, in Room 1013, Municipal Building, on the following matters excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 215-34-BZ—Application, July 23, 1934, under section 21 of the building zone resolution, of Leonard J. Tompkins, applicant, on behalf of Jamaica Savings Banks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Merrick road and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

CAL. NO. 238-34-BZ—Application, August 15, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of David F. Walsh, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

CAL. NO. 179-34-BZ—Application, June 21, 1934, under section 21 of the building zone resolution of Hugo E. Magnuson, applicant, on behalf of Estate of Maria K. Gray, owner, to permit in a residence district the erection and maintenance of a business building (stores); premises southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

CAL. NO. 191-34-BZ—Application, June 28, 1934, under section 21 of the building zone resolution, of Croker Fire Prevention Corporation, applicant, on behalf of The Hermitage Corp., owner, to permit partly in a business district and partly in a residence district the use of a plot of ground as a parking space for more than five motor vehicles; premises 2087 Boston road, west side, 100 ft. south of east 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx.

CALENDAR

CAL. NO. 207-34-BZ—Application, July 12, 1934, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Anna Shattan, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 97 Steuben street, northeast corner of Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

TUESDAY, NOVEMBER 13, 1934, AT 2 P. M.

Building Zone Cases.

5-34-BZ.

APPLICANT—Joseph A. Gelbmann, for Elsie S. Denville, owner.

PREMISES—15 East 61st street (Block No. 1376, Lot No. 12), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution (reopened September 18, 1934).

TO PERMIT in a residence district the change of occupancy of an existing building from residence use to business use (previously withdrawn).

254-34-BZ.

APPLICANT—A. P. Sorice, Jr., for Mildred Gerrato, owner.

PREMISES—South side of 91st avenue, 179 ft. west of 169th street (Block No. 885, Lot No. 39), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing garage for more than five motor vehicles.

258-34-BZ.

APPLICANT—J. M. Felson, for 2230 Grand Concourse Corp., owner.

PREMISES—Northeast corner of East 182nd street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence district the erection and maintenance of a building to be used in part for business purposes (stores).

500-28-BZ.

APPLICANT—William Shary, for Charles Zenker, present owner.

PREMISES—2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened October 2, 1934).

TO PERMIT partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 19, 1934, AT 2 P. M.

Building Zone Cases.

262-34-BZ.

APPLICANT—James Whitford, for Oscar A. Johnsen, owner.

PREMISES—1111 Forest avenue, northwest corner of Greenleaf avenue (Block No. 235, Lot No. 47), West New Brighton, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

264-34-BZ.

APPLICANT—William C. Goodson, for Anna May Pitbladdo, owner.

PREMISES—8412 Ridge boulevard (Block No. 6023, Lot No. 39), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "F" area district the erection and maintenance of a private garage within fifteen (15) feet of the building line.

268-34-BZ.

APPLICANT—Samuels and Samuels, for Herman M. Seldin, owner.

PREMISES—Northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

118-30-BZ.

APPLICANT—Samuels and Samuels, for Sadye Hydecker, owner.

PREMISES—Northeast corner of Allerton avenue and Eastchester road (Block No. 4534, Lot No. 12), Borough of The Bronx.

APPLICATION, under section 7f of the building zone resolution (reopened September 11, 1934).

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously denied under section 21).

NOVEMBER 20, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 20, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 195-34-BZ—Application, July 2, 1934, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Hattie M. Marks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

CAL. NO. 339-33-BZ—Application of Samuels and Samuels, for Otnas Realty, Inc., owner, reopened July 17, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline

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service station (previously withdrawn); premises 14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

CAL. NO. 242-34-BZ—Application, August 17, 1934, under section 21 of the building zone resolution, of John Pross, applicant, on behalf of Jalccc Realty Corp., owner, to permit in a business district the change of occupancy of an existing building to a garage for more than five motor vehicles; premises 787-795 Empire boulevard, north side, 260 ft. east of Troy avenue (Block No. 1423, Lot Nos. 41-43), Borough of Brooklyn.

CAL. NO. 261-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of Wood & Marshall, applicants, on behalf of Samuel H. Baylis and Sheldon F. Baylis, owners, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles; premises 93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

CAL. NO. 272-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Benjamin Millstein, applicant, on behalf of John J. Tully, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1934, 2 P. M.

Appeals from Administrative Orders.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

265-34-A—151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Lot No. 61), Brooklyn.

298-34-A—251-253-255 Bowery (Block No. 427, Lot No. 4), Manhattan.

Appliances Submitted for Approval.

302-34-SA—Loyalty Range Burner.

308-34-SA—"Blue Glow" Range Oil Burner, Models Supreme and DeLuxe.

309-34-SA—Hupp Range Oil Burner, Models S.D. and C.D.

Material Submitted for Approval.

301-34-SM—"Radbur" Flameproofing Compound.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 20, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); (restored to calendar October 23, 1934); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

CAL. NO. 109-34-BZ—Application, April 21, 1934, under section 21 of the building zone resolution, of Jacob Lubroth, applicant, on behalf of Louis Greenstein, owner, to permit in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop; premises southwest corner of Myrtle avenue and Cypress Hills street (Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

CAL. NO. 230-34-BZ—Application, August 9, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of William F. Clark, owner, to permit in a business district the maintenance of an existing motor vehicle repair shop; premises 303-305 4th avenue, southeast corner of 2nd street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

CAL. NO. 227-20-BZ—Application of Samuel Rosenblum, on behalf of Goble Jerome Co., Inc., present owner, reopened September 18, 1934, for amendment of resolution to permit the inclusion of a gasoline service station—re Application, granted under sections 7c and 21 of the building zone resolution, permitting in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles, to be used in part for a gasoline service station; premises 1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

CAL. NO. 211-34-BZ—Application, July 19, 1934, under section 21 of the building zone resolution, of Abraham M. Bakerman, applicant, on behalf of Rebecca Bakerman and Sadie Cooper, owners, to permit in a

CALENDAR

business district the erection and maintenance of a gasoline service station; premises northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx.

CAL. NO. 214-34-BZ—Application, July 23, 1934, under section 21 of the building zone resolution, of Benjamin N. Brody, applicant, on behalf of Peter Schwartz, owner, to permit in a business district the change of occupancy of an existing building to a junk shop; premises 412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 26, 1934, AT 2 P. M.

Building Zone Cases.

243-34-BZ.

APPLICANT—Samuels and Samuels for A. R. Olson Bldg. Co., Inc., owner.

PREMISES—2909-2917 86th street and 525-535 Van Sicken street, northeast corner (Block No. 7169, Lot No. 28), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

267-34-BZ.

APPLICANT—Scacchetti & Siegel, for Rosa B. R. Heintz and Jacob Siegel, owners.

PREMISES—East side of Jerome avenue, 160.08 ft. north of East 213th street (Block No. 3329, Lot No. 92), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

269-34-BZ.

APPLICANT—Samuels and Samuels, for Marcus Cohn, owner.

PREMISES—Northwest corner of Woodhaven boulevard and 162nd avenue (Block No. 4040, Lot No. 87), Aqueduct, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

NOVEMBER 27, 1934, 2 P. M.

Appeal from Administrative Order.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

WEDNESDAY MORNING, NOVEMBER 7, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, October 30, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, October 30, 1934, were approved as printed in Bulletin No. 45, Vol. XIX.

BUILDING ZONE CASES.

195-34-BZ.

APPLICANT—William F. Regan, for Hattie M. Marks, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: William F. Regan.

For Opposition: Louis Sanders.

ACTION OF BOARD—Laid over to November 20, 1934, at 10 a. m., on request of applicant.

230-34-BZ.

APPLICANT—Martin J. Ort, for William F. Clark, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the maintenance of an existing motor vehicle repair shop.

PREMISES AFFECTED—303-305 Fourth avenue, southeast corner of 2nd street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Martin J. Ort and Edson Lenhardt.

For Opposition: None.

ACTION OF BOARD—Laid over to November 20, 1934, at 2 p. m., for report of committee on inspection. No further argument.

227-20-BZ.

APPLICANT—Samuel Rosenblum, for Goble Jerome Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business district, the extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles to be used in part for a gasoline service station (reopened September 18, 1934).

MINUTES

PREMISES AFFECTED—1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.
For Opposition: None.

ACTION OF BOARD—Laid over to November 20, 1934, at 2 p. m., for report of committee on inspection. No further argument.

211-34-BZ.

APPLICANT—Abraham M. Bakerman, for Rebecca Bakerman and Sadie Cooper, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham M. Bakerman.
For Opposition: James O'Connor.

ACTION OF BOARD—Laid over to November 20, 1934, at 2 p. m., for report of committee on inspection. No further argument.

214-34-BZ.

APPLICANT—Benjamin N. Brody, for Peter Schwartz, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a junk shop.

PREMISES AFFECTED—412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin N. Brody, Peter Schwartz and Peter Schwartz, Jr.
For Opposition: None.

ACTION OF BOARD—Laid over to November 20, 1934, at 2 p. m., for report of committee on inspection. No further argument.

Adjourned, 12:05 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY AFTERNOON, NOVEMBER 7, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

116-30-BZ.

APPLICANT—William Shary, for Samuel Rubin & Son, Inc., present owner.

SUBJECT—Application for reopening—restoration to calendar—re Application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit in a residence district the alteration and conversion of occupancy of part of basement and first story of an existing apartment house from dwelling to business use (stores); (previously withdrawn June 3, 1930).

PREMISES AFFECTED—154 East 170th street and 1401 Grand Concourse, southwest corner (Block No. 2842, Lot No. 59), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened, subject to calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

381-32-BZ.

APPLICANT—Benjamin Chester, for Polros Building Company, owner.

SUBJECT—Approval of amended plans in accordance with resolution adopted by the Board on December 2, 1932.

PREMISES AFFECTED—1632-1638 Fulton street, south side, 25 ft. east of Troy avenue (Block No. 1700, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Amended plans approved.

THE VOTE TO APPROVE AMENDED PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

1323-25-BZ.

APPLICANT—Office of Henry T. Child, Architects, for Rugus Oil Corporation, lessee.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—7021 73rd place (formerly known as 4621 Proctor street); (Block No. 3792, Lot Nos. 44 and 46), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Sidney Schleman and Reuben Feinberg.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

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Negative 0
Absent 0
THE VOTE TO EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—
(1323-25-BZ)
WHEREAS, this application affecting premises 7021 73rd place (formerly known as 4621 Proctor street); (Block No. 3792, Lot Nos. 44 and 46), Glendale, Borough of Queens; was granted by the board December 15, 1933 on certain conditions and lessee's architect requested an extension of time.

Resolved, that the resolution of the board adopted on December 15, 1933, be and it hereby is *amended*, in view of the statement by representative of the lessee that plans have been approved by the commissioner of buildings, to extend the time within which to complete the work involved to one year from the date of this amended resolution, *on condition* that the resolution adopted by the board on December 15, 1933, shall be complied with in all other respects.

APPEALS FROM ADMINISTRATIVE ORDERS.
232-34-A.
APPELLANT—Lease Bros. Coachcraft, Inc., for William Buchanan, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Borough of Brooklyn.
APPEARANCES—
For Appellant: Charles E. Bernstein.
For Administration: Inspector Meyer of fire department.
ACTION OF BOARD—Laid over to November 27, 1934, at 2 p. m., on request of appellant.

259-34-A.
APPELLANT—Sheder Realty Corp., owner.
SUBJECT—Appeal from orders and a decision of the commissioner of buildings.
PREMISES AFFECTED—141-145 West 36th street (Block No. 812, Lot No. 16), Borough of Manhattan.
APPEARANCES—
For Appellant: Jacob A. Shulder.
For Administration: Inspector Maher of department of buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

260-34-A.
APPELLANT—The Timken Silent Automatic Co., for Hoffman Estates, owner.
SUBJECT—Appeal from a decision of the commissioner of buildings.
PREMISES AFFECTED—1491 Lexington avenue, northeast corner of East 96th street (Block No. 1624, Lot No. 20), Borough of Manhattan.

APPEARANCES—
For Appellant: None.
For Opposition: Arthur G. Peacock, W. P. Falkenstein for Board of Transportation.
For Administration: Inspector Maher of department of buildings.
ACTION OF BOARD—Appeal dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—
(260-34-A)
WHEREAS, The Timken Silent Automatic Co., for Hoffman Estates, owner, filed September 7, 1934, an appeal from a decision of the commissioner of buildings, affecting premises No. 1491 Lexington avenue, northeast corner of East 96th street (Block No. 1624, Lot No. 20), Borough of Manhattan; and
WHEREAS, the decision of the commissioner of buildings, dated August 31, 1934, re Applic. No. 413-1934, reads:
"Fuel oil storage tank is within 20 ft. of subway structure. Fuel Oil Rule 3."

and
WHEREAS, the building is non-fireproof, 5 stories in height, 26 ft. by 96 ft. 11 in. in area; OCCUPIED: 1st story—store; upper stories—dwelling; and
WHEREAS, an oil burning equipment has been installed consisting of an approved Timken Rotary Burner, a 1080 gals. capacity fuel oil tank and the necessary piping; and
WHEREAS, appellant contends that owing to soil conditions (rock), the tank was located on the cellar floor of the building and enclosed in masonry in accordance with the fuel oil rules and contends further, that the tank as located does not create a hazard; and
WHEREAS, the appellant failed to appear when his case was called although duly notified to do so.
Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

246-34-A.
APPELLANT—R. Bryan, for Frigidaire Corporation, for Society of New York Hospital, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—525 East 68th street, block bounded—North side of East 68th street to south side of East 70th street and east side of York avenue to west side of Exterior street (Block Nos. 1480-1482, part of Lot No. 1), Borough of Manhattan.
APPEARANCES—
For Appellant: R. Bryan and George H. Brooks.
For Administration: Inspector Meyer of fire department.
ACTION OF BOARD—Appeal granted, on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—
(246-34-A)
WHEREAS, R. Bryan, for Frigidaire Corporation for the Society of New York Hospital, owner, filed August 23, 1934, an appeal from an order of the fire commissioner

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affecting premises 525 East 68th street—North side of East 68th street to south side of east 70th street and east side of York avenue to West side of Exterior street (Block Nos. 1480-1482, part of Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated August 3, 1934, Order No. 3956-LC, reads:

"Before permit may be issued for your refrigerating plant, the following must be done:

- "1—Protect all open flames with a hood provided with independent mechanical ventilation so arranged as to convey all the products of combustion to the outer air as per Rule 8. Note: This item applies to Buildings A, B, C, D, E, F, K. L. M. N. P. S.
- "2—Make all doors leading from refrigerating machinery room or rooms self-closing, so close fitting as to prevent the passage of irritant refrigerant to other parts of the building, and keep same closed when not in use, as per Section 220-1-a of Chapter 10, Code of Ordinances. Note: This item applies to Buildings, (f) Rooms 107, 232, 236, 244, 270, 332, 336, 344, 432, 436, 444, 510, 511, 532, 536, 544, 632, 636, 644, 736, 744, 920, 958, 1200, 1300, 1400 ; Building (A) Rooms 313, 351; Building (B) Rooms 02; and all conveyor doors leading to pantry rooms.
- "3—Remove the refrigerating system or systems from the stairway or hall of the building as per Section 219 (f) Chapter 10, Code of Ordinances. Note: This item applies to Building P, Second Story.
- "4—Cut off all elevator shafts leading into refrigerating machinery rooms, as per Section 220-1-A of Chapter 10, Code of Ordinances. Note: This item applies where elevator shafts enter kitchens."

and

WHEREAS, the buildings are fireproof, 27 stories in height, irregular in plan; OCCUPIED as a Hospital; and

WHEREAS, the appellant claims there are 215 individual refrigerating units installed, using less than 10 pounds of F-12, non-irritant refrigerant in each (class C systems), located in rooms, laboratories and diet kitchens; the laboratories are used for experimental work where Bunsen burners are seldom used and only under supervision of the person working; hoods are provided in the majority of cases of diet kitchens where gas stoves are used; there are a number of ventilating systems with an average capacity of 300 cubic feet per minute; furthermore, the appellant contends that at the time Frigidaire Sales Corporation made its quotations on the refrigerating equipment to be installed in the Society of the New York Hospital, Cornell Medical Center, it did so on the basis of a letter signed by Chief Peter Spence, dated February 3, 1931, a copy of which is attached hereto and made a part hereof. The quotations, dated March 9, 1931, were accepted by the Society of the New York Hospital; that the Frigidaire Sales Corporation entered into the contract for the supplying and installation of this material on March 11, 1931, that plans were drawn accordingly, that Refrigerator cabinets were ordered and the equipment installed, that all these steps were taken in reliance upon the letter of Chief Peter C. Spence of February 3, 1931, that the proposed equipment to be installed in the Society of the New York Hospital and the method of installation fully complied with all of the rules and regulations of the City of New York governing refrigeration equipment, that as a matter of fact, installation and equipment followed completely the letter of February 3, 1931, of Chief Spence, that the F-12 refrigerant used in the installation is the safest and least harmful refrigerant that has been developed to date, that this fact was established by the New York fire department itself when in April, 1934, they passed rules and

regulations permitting it to be installed in locations not suitable for other refrigerants, that there were, however, rules made in reference to ventilating hooding of flames when used in hospitals which are not required in commercial installations; that the appellant believes that these rules and regulations are an undue hardship, and exception should be made on this installation that was installed prior to the adoption of the requirements of April 1934; and

WHEREAS, it is understood that all rooms in these premises are ventilated directly to the outer air.

Resolved, that the order of the fire commissioner, No. 3956-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that all rooms in which open flames are maintained shall be equipped with a mechanical ventilating system so as to convey the products of combustion to the outer air; that all doors leading from refrigerating machinery rooms shall be made close-fitting by installing on the bottoms of doors flexible flaps that will not interfere with the general ventilating system of the building, but which will effectually prevent irritant fumes from reaching other parts of the building; that such refrigerating units as have openings between rooms or between rooms and hallways shall be provided with self-closing doors; *on further condition* that Items 3 and 4 shall be complied with.

APPLIANCES SUBMITTED FOR APPROVAL.

291-34-SA.

PETITIONER—Champion Products Co., owner; John M. Wolf Co., agent.

SUBJECT—Champion Range Oil Burner and Pump, Models A, De Luxe and Waco, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the board and the bureau of combustibles, fire department, for test and report.

304-34-SA.

PETITIONER—American Stove Company, owner.

SUBJECT—Quick Meal Range Burner, approval of.

APPEARANCES—

For Petitioner: M. Wardell.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the board and the bureau of combustibles, fire department, for test and report.

305-34-SA.

PETITIONER—American Stove Company, owner.

SUBJECT—Quick Meal Water Heater, Model 5681-0, approval of.

APPEARANCES—

For Petitioner: M. Wardell.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the board and the bureau of combustibles, fire department, for test and report.

306-34-SA.

PETITIONER—American Stove Company, owner.

SUBJECT—Quick Meal Space Heaters, Models 5672-0, 5671-13, 5671-33 and 5671-35, approval of.

APPEARANCES—

For Petitioner: M. Wardell.

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ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the board and the bureau of combustibles, fire department, for test and report.

181-34-SA.

PETITIONER—Detroit Lubricator Co., owner.

SUBJECT—Genuine Detroit Constant Level Valve, Models S (CRC-160), S-1 (CRC-180), S-2 (CRC-150), S-3 (CRC-350) and CRC-550, approval of.

APPEARANCES—

For Petitioner: A. A. Putt.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board and bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(181-34-SA)

WHEREAS, the Detroit Lubricator Co., owner, filed June 22, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Genuine Detroit Constant Level Valve, Models S (CRC-160), S-1 (CRC-180), S-2 (CRC-150), S-3 (CRC-350) and CRC-550, and safety float valves and gravity control valves CRC-200, 300, 161, 301 and 500; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

These valves are designed for use between the supply tank and burner, with burners requiring a gravity feed. The general construction of the valves is similar. As to operation, Models S, S-1, S-2 and S-3 differ only in the arrangement of the inlet and outlet connection. The Model CRC-550 employs the same principles but is made from die-casting and the other 4 valves are made from brass casting. The Models S-2, and S-3 and CRC-550 are equipped with strainers on the inlet side. The equipment consists of a float operated valve intended to maintain constant head conditions and insure an unvarying flow of oil to the burner. When the oil reaches a certain level the float acts to close the valve and shut off the oil supply from the storage tank. Any demand for fuel from the burner lowers this level which opens the valve and permits a fresh supply of oil to enter, thus the constant level is automatically maintained within the float chamber. The valves consist essentially of float, body and valve assembly. The body consists of brass casting except as mentioned above in CRC-550, so constructed as to maintain the floats and valve assembly. The float is made of two sections of brass, drawn to a cup shape and soldered at the center. A sleeve running vertically through the center of the float and soldered at the top and bottom provides passage for the needle valve.

The valve assembly consists of a Monel Metal needle, operated by means of a float actuated by two counter-weights. These weights pivot on projections provided on the valve cap and work in a brass collar pressed in to the stem of the needle. The valve seat is of brass and screws into the part provided in the body casting.

Each model was set up and tested, and it was amply demonstrated that at no time did they permit an abnormal flow of oil. It is recommended that as a result of these tests that these valves be accepted for use in conformity with the provisions of Rule 8-a of the Oil Burner Rules of the Board of Standards and Appeals.

The safety float valves and gravity control models CRC-200, 300, 301-161 and 500 are designed as safety controls for burners as provided for in Rule 4-a of the Oil Burner Rules. These models were operated and tested, but as they did not require an approval under the rules, it is recommended that same be accepted for the use to which they are adapted.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Genuine Detroit Constant Level Valves, Models S (CRC-160), S-1 (CRC-180), S-2 (CRC-150), S-3 (CRC-350) and CRC-550, *on condition* that these devices shall be installed in accordance with above report and the Oil Burner Rules of the Board of Standards and Appeals.

182-34-SA.

PETITIONER—Detroit Lubricator Co., owner.

SUBJECT—Genuine Detroit Anti-Syphon Valve, Model CRC-100, Types V and S, approval of.

APPEARANCES—

For Petitioner: A. A. Putt.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(182-34-SA)

WHEREAS, Detroit Lubricator Co., owner, filed June 22, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Genuine Detroit Anti-Syphon Valve, Model CRC-100, Types V and S; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This device is intended for use in installations where the tank is located above the burner and is designed to hold against a maximum head of 5 and 10 ft. respectively.

The device consists of a valve body, valve, bellows assembly and bellows housing. The cover, body and bellows housing are brass casting. The valve body consists of a brass casting incorporating facilities for the reception of the valve bellows and bellows housing. Ports are provided and tapped for inlet and outlet connections. An arrow is cast on the body indicating the direction of the oil flow. The valve consists of a monel metal ball seating in a well provided in the brass plunger guide. The guide screws into the valve body, the lower end serving as a keeper for the bellows spring.

The bellows assembly consists of a seamless brass bellows open at the upper end and closed at the lower

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by a soldered brass washer holding the brass valve operating plunger. A phosphor bronze spring furnishes the required operating tension and is held in position within the bellows by a groove in the bottom washer and by the plunger guide. A close-fitting brass sleeve serves as a guide for the spring.

The bellows housing consists of a cylindrical brass casting threaded to fit into the valve body and serves to clamp the bellows in place, a Hydroil gasket sealing the joint against leakage. The valve plunger extends through a hole provided in the bottom and permits the manual opening of the device for priming purposes.

One of these valves with a setting for a 10 ft. head was installed at the highest point in the suction line. The Viking Pump was used to circulate the oil in the piping system and was located 10 ft. below the valve. A petcock was installed about 2 in. above the suction inlet of the pump. When the oil was circulating completely, the petcock was opened, thus representing a break in the line. The valve immediately operated and the only oil that was permitted to escape was that

contained in the pipe between the pump and the valve. This test was repeated a number of times and in no case did the valve fail to function.

This valve has been approved by the Underwriters' Laboratories on July 17, 1931. Guide No. 300-10-2, File M.P.-410.

It is recommended that the Genuine Detroit Anti-Syphon Valve, Model CRC-100, Types V and S, be approved for uses as provided for by Rule 8-B of the Oil Burner Rules of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Genuine Detroit Anti-Syphon Valve, Model CRC-100, Types V and S, *on condition* that this device shall be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and the above report.

Adjourned, 3:45 p. m.

EDWARD V. BARTON, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 30, 1934, as they appeared in Bulletin No. 45, Vol. XIX, are hereby corrected to read as follows:

222-34-BZ.

APPLICANT—Samuels & Samuels, for Meyer Werman, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Little Neck parkway and Hillside avenue (Block No. 4523, part of Lot No. 51), Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Archie Samuels.
For Opposition: None.

ACTION OF BOARD—Report of committee of inspection recommending the granting of this application for a period of ten years was read at the hearing; motion to grant was put by the Chairman before any resolution was dictated, failing to receive the required number of votes to grant, the case was laid over pending a vote by the full membership of the board. No date set.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative: Assistant Chief Kidney.....	1
Absent	0

* Correction—Action of board changed to read as above.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 30, 1934, as they appeared in Bulletin No. 45, Vol. XIX, are hereby corrected to read as follows:

556-26-BZ.

APPLICANT—John F. Meehan, for Avoncel Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station. (Reopened June 19, 1934.)

PREMISES AFFECTED—501 West 180th street and 2418 Amsterdam avenue, northwest corner (Block No. 2152, part of Lot Nos. 82, 83 84 and 85), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Meehan.
For Opposition: Arthur J. Connolly, representing the Heights Taxpayers' Protective Association, Inc.

ACTION OF BOARD—Report of committee of inspection recommending denial of the application and also dissenting report were read at the hearing; motion to grant was put by the Chairman before any resolution was dictated, failing to receive the required number of votes to grant, the case was laid over pending a vote by the full membership of the board. No date set.

THE VOTE TO GRANT—

Affirmative: Commissioners Savage and Blum and Assistant Chief Kidney	3
Negative: Chairman Murdock.....	1
Absent	0

* Correction—Action of board changed to read as above.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 30, 1934, as they appeared in Bulletin No. 45, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(277-34-A)

WHEREAS, John J. Gilmartin, for The Brooklyn Improvement Co., owner, filed September 28, 1934, an appeal from orders and a decision of the commissioner of buildings, affecting premises Nos. 109-113 West 45th street (Block No. 998, Lot No. 26), Borough of Manhattan; and

WHEREAS, the orders of the commissioner of buildings, dated July 16, 1934, reads: (Order No. 15552-F)

1. Provide 4-in. emergency drain valve.
2. Provide 2-in. overflow line.
3. Properly connect 4-in. standpipe riser to gravity tank.
4. Provide an O-S & Y gate valve on the down stream side of tank check.
5. Provide an approved check valve in supply line at upper level between tank and topmost standpipe outlet.
7. Disconnect house supply from standpipe riser and 13th story.

(Order No. 15553-F)

1. Raise the standpipe gravity tank so that the bottom of said tank is not less than 20 ft. above the hose outlet in the highest story. Sections 580-1, chapter 5, code of ordinances and rules of the Board of Standards and Appeals.

and

WHEREAS, the decision of the commissioner of buildings, dated September 25, 1934, reads:

"This will reply to your letter of August 20, 1934, in which you ask us to accept the present conditions relating to the above orders, due to the fact that it would be a hardship on the owners, and that you believe that existing conditions to have been accepted at the time of the erection of the building.

"Please be advised that these orders were issued in accordance with the requirements of the law, and your request must be denied."

and

* Correction—word "about" changed to "above" in line 71 of resolution.

WHEREAS, the building, erected in 1900, is fireproof, 12 stories and pent house (140 ft.) in height, 60 ft. by 89 ft. 8 in. in area; OCCUPIED: as a hotel; the pent house being occupied as office and help's room; and

WHEREAS, the building is provided with a standpipe system; the system is supplied from a 4,000-gallons capacity gravity tank which contains also the house supply; and

WHEREAS, appellant contends that the bottom of the tank is located 19 ft. above the outlet in top (12th) story; proposes to comply with items No. 2 and No. 5 of order No. 15552-F; as to item No. 7, proposes to rearrange conditions so as to provide a 2,500-gallons reserve for standpipe use instead of the required 3,500 gallons on account of the limited (4,000 gals.) capacity of the tank; as to Item No. 1, contends that an emergency drain valve is installed; as to item No. 3, contends that there is a check at the gravity tank, and as to item No. 4, contends that there is a valve connected in the horizontal run of the standpipe line at the tank on the roof; as to order No. 15553-F, contends that the distance between the tank and the outlet in the top (12th) story is but slightly less than the required 20 ft.

Resolved, that the orders and decision of the commissioner of buildings be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, as to order No. 15552-F, items 3, 4 and 7, *on condition* that the existing 3-in. line connecting the 4-in. standpipe riser with the gravity tank shall comply with the requirements of the standpipe fire-line rules of the Board of Standards and Appeals, except as to the size of the pipe, permitting this to remain 3 in. in diameter; that the house supply shall be discontinued entirely from the standpipe riser and that the house supply shall be connected into the standpipe tank above the 2500-gallon mark so that at all times there shall be not less than 2,500 gallons of water available for standpipe purposes only; *granted*, as to order No. 15553-F, permitting the gravity tank to remain at its present location, *on condition* that it is not less than 19 ft. above the outlet in the main or 12th, top story; that the hose nozzles in the pent house or 13th story shall be reduced to ½-in. diameter; that the pent house story shall be used only for help's locker room and storerooms, without living quarters; that such auxiliary fire-fighting appliances shall be installed in this 13th or pent house story as the commissioner shall direct; that items 1, 2 and 5 of order No. 15552-F shall be complied with and that rule 91 of the standpipe fire-line rules of the Board of Standards and Appeals shall be complied with in all respects other than as modified herein.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS

A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly.....	250-34-SA	Kolrid Range Burner.....	48-34-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
Florence Range Burners.....	219-34-SA	No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA
Fox Range Oil Burner.....	200-34-SA	Silent Glow Range Oil Burner.....	172-34-SA
		Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA

RULES

OIL BURNER RULES

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals
June 15, 1934

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

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STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 10 pounds per square inch without permanent deformation, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material, and where the tank is 48 inches or less in diameter the shell shall have a thickness of not less than $\frac{3}{16}$ of an inch and where the tank is over 48 inches in diameter the shell shall have a thickness of not less than $\frac{1}{4}$ of an inch.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

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Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground.

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity or not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

(c) Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

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less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or private right of way.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for approval for permit shall be made by the installer on forms furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity, number and location of storage tanks, together with approval of such installation by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Installation of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be

provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by a $\frac{1}{2}$ " asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

(g) Near each boiler or furnace of a fuel oil burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand.

Rule 15. Instruction Cards.

(a) Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

(b) For manually operated systems not fully automatic the operator shall obtain a certificate of fitness from the fire commissioner.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
A. B. C. Oil Burner.....	1295-24-SA	Evenheet Oil Burner.....	554-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Everedy Oil Burner.....	102-33-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA		
Aetna Automatic Oil Burner.....	1547-23-SA	Fairfield Oil Burner.....	584-31-SA
Air-Blast Oil Burner.....	579-32-SA	Faultless Oil Burner.....	493-24-SA
Alladin Oil Burner.....	298-26-SA	Florence Oil Heater, Model KC-9.....	62-33-SA
Alexander Oil Burner.....	65-28-SA	Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA
Alida Oil Burner.....	124-34-SA	Fluid Heat Oil Burner.....	361-32-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95 and 96.....	298-33-SA	Forsdraft Oil Burner	41-34-SA
Arcoil Heat Machine.....	632-26-SA	Foster Oil Burner.....	715-26-SA
Auto-Heat Oil Burner.....	284-33-SA	Franklin Domestic Oil Burner.....	560-26-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
		Fuelo Oil Burner.....	47-30-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gar Wood Oil Burner.....	373-30-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	General Electric Fuel Oil Burner.....	434-32-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Ghapco Steam Generator.....	348-31-SA
Berggren Oil Burner.....	764-26-SA	Gilbarco Industrial Burner.....	350-32-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Gilbert & Barker Junior Flexible Flame Do- mestic Oil Burner	520-31-SA
Bettendorf Oil Burner.....	731-28-SA	Gilbert & Barker Oil Burner, Model S-1.....	282-33-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Gill Oil Burner.....	1231-23-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Branford Oil Burner.....	36-31-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Branford Oil Burner, Model "A".....	461-32-SA	Grant Oil Burner	382-26-SA
Brighton Oil Burner.....	372-33-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA		
Caloroil Burner, Type AA.....	1361-24-SA	Hardinge Oil Burner.....	813-25-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S.....	229-32-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Harris Fuel Oil Burner.....	690-30-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hart Automatic Oil Burner.....	1162-24-SA
Carborundum Burner	571-29-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Hart Oil Burner, Model "H"	221-33-SA
Carter-Korth Oil Burner	54-30-SA	Hayward Oil Burner	696-30-SA
Carter Oil Burner, Models 4X and 5X.....	117-34-SA	Heatiator Oil Burner.....	1346-23-SA
Century Oil Burner.....	157-28-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Challenger Oil Burner, Model "A".....	86-34-SA	Hercules Oil Burner.....	510-29-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Hercules Oil Burner, Models H and HF.....	309-33-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Cook's Automatic Oil Burner.....	955-27-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Holland Type "F" Oil Burner.....	237-34-SA
Crescent Oil Burner	222-29-SA	Homer Domestic Oil Burner.....	1211-25-SA
Crescent Type M Size I Oil Burner and Models 8, 18 and 28.....	592-31-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Crown Oil Burner, Type XA.....	426-29-SA		
Crystal Blue Flame Oil Burner.....	423-29-SA	Improved Kres-Kno Oil Burner and Model MD	591-29-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	Inferno Oil Burner.....	82-33-SA
D'Elia Oil Burner.....	155-31-SA	International Mechanical Draft Oil Burner...	372-30-SA
Delco Heat Oil Burner.....	420-31-SA	International Oil Burner.....	1305-24-SA
DeWalt Oil Burner.....	541-31-SA		
Dist-o-matic Oil Burner.....	663-28-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Doe Oil Burner....	317-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
Doherty Oil Burner.....	943-26-SA	Joyce Oil Burner.....	852-26-SA
Economy Oil Burner, Type A-1.....	45-31-SA		
Eisler Automatic Oil Burner.....	481-27-SA	K. F. C. Oil Burner.....	846-25-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Kelco Oil Burner.....	237-33-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Kelvinator Oil Burner.....	339-31-SA
Ember-Glo Oil Burner.....	462-32-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Kleen Heet Oil Burner.....	62-24-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
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		Kres-Kno Oil Burner.....	443-28-SA
		Laco Oil Burner, Model NL.....	670-30-SA
		Laco Oil Burner, Models F, JF, BF and D...	226-33-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Lange Economical Oil Burner.....	355-33-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Lawrence May Oil Burner.....	1034-27-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Leader Oil Burner.....	425-31-SA	Rayfield Oil Burner.....	504-26-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Real Host Oil Burner.....	38-34-SA
Liberty Automatic Heater.....	129-28-SA	Re-Ly-On Oil Burner.....	745-26-SA
Liberty Pressure Oil Burner.....	75-34-SA	Remington Domestic Oil Burner, Type B....	532-31-SA
Lonergan Automatic Oil Burner.....	208-33-SA	Remington Oil Burner.....	891-26-SA
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA	Richmond Gravity Fuel Oil Burner.....	1193-22-SA
M. W. Oil Burning Water Heater.....	737-29-SA	Rickard Oil Burner.....	1011-27-SA
Magna Fuel Oil Burner.....	197-33-SA	Rotoflame Oil Burner.....	187-33-SA
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Master-Kraft Oil Burner.....	83-33-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
May Oil Burner.....	68-24-SA	S-K Oil Burner, Model F.....	369-33-SA
May Oil Burner, Type BB.....	46-34-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
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Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
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National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
National Rotary Oil Burner.....	836-25-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Standardyne Oil Burner.....	34-34-SA
New Process Oil Burner.....	1071-27-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
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Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
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APPROVED APPLIANCES

<i>Name of Burner.</i>	<i>Calendar No.</i>	<i>Name of Burner.</i>	<i>Calendar No.</i>
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Universal Fuel Oil Burner.....	6-24-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Vaporoil Burner	44-32-SA	Wheco Oil Burner.....	108-34-SA
Vesta Oil Burner.....	451-26-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB and R.....	918-22-SA
Victor Oil Burner.....	612-30-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Victory Oil Burner.....	320-30-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Viking Oil Burner.....	396-32-SA	Wizard Automatic Oil Burner.....	181-33-SA
Volcano Automatic Oil Burner.....	556-29-SA	York Automatic Oil Burner.....	44-29-SA
Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2.....	341-33-SA	Yorktown Oil Burner.....	166-33-SA
Warner Oil Burner, Model A.....	16-34-SA		

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
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Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
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Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
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Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
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Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
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		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

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		Requests to install denied.....	0
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		Requests withdrawn or dismissed.....	14
		Total.....	850

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 47

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Corrections.

Rules for Interior Fire Alarm Signal Systems.

Rules for Refrigerating Systems.

Progress Report.

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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, November 19, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, November 26, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

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313-34-SA.....	F.D.....	General Electric Oil Screen Valve (Anti-Syphon Type), Model CR-7860-E1A, Appliance.
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312-34-A.....	D.B.M.....	109-111 5th ave., 7 East 18th st., N.E. corner (Block 847, Lot 1), Manhattan. 14438-F and Decision.
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311-34-SA.....	F.D.....	Evur-Ready Range Oil Burn- er, Models Leader, Standard and De Luxe, Appliance.
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
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CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 19, 1934, AT 2 P. M.

Building Zone Cases.

262-34-BZ.

APPLICANT—James Whitford, for Oscar A. Johnsen, owner.

PREMISES—1111 Forest avenue, northwest corner of Greenleaf avenue (Block No. 235, Lot No. 47), West New Brighton, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

264-34-BZ.

APPLICANT—William C. Goodson, for Anna May Pitbladdo, owner.

PREMISES—8412 Ridge boulevard (Block No. 6023, Lot No. 39), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "F" area district the erection and maintenance of a private garage within fifteen (15) feet of the building line.

268-34-BZ.

APPLICANT—Samuels and Samuels, for Herman M. Seldin, owner.

PREMISES—Northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

118-30-BZ.

APPLICANT—Samuels and Samuels, for Sadye Hy-decker, owner.

PREMISES—Northeast corner of Allerton avenue and Eastchester road (Block No. 4534, Lot No. 12), Borough of The Bronx.

APPLICATION, under section 7f of the building zone resolution (reopened September 11, 1934),

TO PERMIT in a business district the erection and maintenance of a gasoline service station (previously denied under section 21).

CALENDAR

NOVEMBER 20, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 20, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 195-34-BZ—Application, July 2, 1934, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Hattie M. Marks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

CAL. NO. 339-33-BZ—Application of Samuels and Samuels, for Otnas Realty, Inc., owner, reopened July 17, 1934, under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn); premises 14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

CAL. NO. 242-34-BZ—Application, August 17, 1934, under section 21 of the building zone resolution, of John Pross, applicant, on behalf of Jalccc Realty Corp., owner, to permit in a business district the change of occupancy of an existing building to a garage for more than five motor vehicles; premises 787-795 Empire boulevard, north side, 260 ft. east of Troy avenue (Block No. 1423, Lot Nos. 41-43), Borough of Brooklyn.

CAL. NO. 261-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of Wood & Marshall, applicants, on behalf of Samuel H. Baylis and Sheldon F. Baylis, owners, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles; premises 93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

CAL. NO. 272-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Benjamin Millstein, applicant, on behalf of John J. Tully, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1934, 2 P. M.

Appeals from Administrative Orders.

63-34-A—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Manhattan.

265-34-A—151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Lot No. 61), Brooklyn.

298-34-A—251-253-255 Bowery (Block No. 427, Lot No. 4), Manhattan.

Appliances Submitted for Approval.

302-34-SA—Loyalty Range Burner.

308-34-SA—"Blue Glow" Range Oil Burner, Models Supreme and DeLuxe.

309-34-SA—Hupp Range Oil Burner, Models S.D. and C.D.

Material Submitted for Approval.

301-34-SM—"Radbur" Flameproofing Compound.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 20, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); (restored to calendar October 23, 1934); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

CAL. NO. 109-34-BZ—Application, April 21, 1934, under section 21 of the building zone resolution, of Jacob Lubroth, applicant, on behalf of Louis Greenstein, owner, to permit in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop; premises southwest corner of Myrtle avenue and Cypress Hills street (Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

CAL. NO. 230-34-BZ—Application, August 9, 1934, under section 21 of the building zone resolution, of Martin J. Ort, applicant, on behalf of William F. Clark, owner, to permit in a business district the maintenance of an existing motor vehicle repair shop; premises 303-305 4th avenue, southeast corner of 2nd street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

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CAL. NO. 227-20-BZ—Application of Samuel Rosenblum, on behalf of Goble Jerome Co., Inc., present owner, reopened September 18, 1934, for amendment of resolution to permit the inclusion of a gasoline service station—re Application, granted under sections 7c and 21 of the building zone resolution, permitting in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles, to be used in part for a gasoline service station; premises 1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

CAL. NO. 211-34-BZ—Application, July 19, 1934, under section 21 of the building zone resolution, of Abraham M. Bakerman, applicant, on behalf of Rebecca Bakerman and Sadie Cooper, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx.

CAL. NO. 214-34-BZ—Application, July 23, 1934, under section 21 of the building zone resolution, of Benjamin N. Brody, applicant, on behalf of Peter Schwartz, owner, to permit in a business district the change of occupancy of an existing building to a junk shop; premises 412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 26, 1934, AT 2 P. M.

Building Zone Cases.

243-34-BZ.

APPLICANT—Samuels and Samuels for A. R. Olson Bldg. Co., Inc., owner.

PREMISES—2909-2917 86th street and 525-535 Van Siclen street, northeast corner (Block No. 7169, Lot No. 28), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

267-34-BZ.

APPLICANT—Scacchetti & Siegel, for Rosa B. R. Heintz and Jacob Siegel, owners.

PREMISES—East side of Jerome avenue, 160.08 ft. north of East 213th street (Block No. 3329, Lot No. 92), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

269-34-BZ.

APPLICANT—Samuels and Samuels, for Marcus Cohn, owner.

PREMISES—Northwest corner of Woodhaven boulevard and 162nd avenue (Block No. 4040, Lot No. 87), Aqueduct, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

NOVEMBER 27, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 27, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 238-34-BZ—Application, August 15, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of David F. Walsh, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

CAL. NO. 5-34-BZ—Application, January 15, 1934, withdrawn March 20, 1934 and reopened September 18, 1934, under section 21 of the building zone resolution, of Joseph A. Gelbman, applicant, on behalf of Elsie S. Domville, owner, to permit in a residence district the change of occupancy of an existing building from residence use to business use; premises 15 East 61st street (Block No. 1376, Lot No. 12), Borough of Manhattan.

CAL. NO. 258-34-BZ—Application, October 15, 1934, under section 21 of the building zone resolution, of J. M. Felson, applicant, on behalf of 2230 Grand Concourse Corp. owner, to permit in a residence district the erection and maintenance of a building to be used in part for business purposes (stores); premises northeast corner of East 182nd street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx.

CAL. NO. 500-28-BZ—Application of William Shary, applicant, for Charles Zenker, present owner, reopened October 2, 1934, under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station; premises 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

NOVEMBER 27, 1934, 2 P. M.

Appeal from Administrative Order.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

Appliances Submitted for Approval.

300-34-SA—Johnson Anti-Syphon Rotary Plunger Pump.

311-34-SA—Evur-Ready Range Oil Burner, Models Leader, Standard and De Luxe.

313-34-SA—General Electric Oil Screen Valve (Anti-Syphon Type), Model CR-7860-E1A.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 27, 1934, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 215-34-BZ—Application, July 23, 1934, under section 21 of the building zone resolution, of Leonard J. Tompkins, applicant, on behalf of Jamaica Savings Banks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Merrick road and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

CAL. NO. 191-34-BZ—Application, June 28, 1934, under section 21 of the building zone resolution, of Croker Fire Prevention Corporation, applicant, on behalf of The Hermitage Corp., owner, to permit partly in a business district and partly in a residence district the use of a plot of ground as a parking space for more than five motor vehicles; premises 2087 Boston road, west side, 100 ft. south of east 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx.

CAL. NO. 592-24-BZ—Application of Harry L. Alper, applicant, on behalf of Fannie Blumberg, present owner, reopened November 13, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage for more than five motor vehicles, previously granted by the board, so as to permit the inclusion of a gasoline service station; premises 240-250 Empire boulevard, southwest corner of Rogers avenue (Block No. 1314, Lot No. 44), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 3, 1934, AT 2 P. M.

Building Zone Cases.

254-34-BZ.

APPLICANT—A. P. Sorice, Jr., for Mildred Gerrato, owner.

PREMISES—South side of 91st avenue, 179 ft. west of 169th street (Block No. 885, Lot No. 39), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing garage for more than five motor vehicles.

253-34-BZ.

APPLICANT—William Shary, for S.P.R. Realty Corp., owner.

PREMISES—West side of Westchester avenue from Doris street to Glover street (Block No. 3965, Lot Nos. 35 to 40), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

287-34-BZ.

APPLICANT—Howard Kelly, for Mutual Life Insurance Co., owner.

PREMISES—1401-1409 College avenue, northwest corner of East 170th street (Block No. 2786, part of Lot Nos. 2 and 29), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

290-34-BZ.

APPLICANT—Levy & Berger, for 291 Greenwich Street Corp., owner.

PREMISES—1611-1619 Eastern boulevard (Ludlow avenue), northwest corner of Morrison avenue (Block No. 3718, Lot No. 1), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

292-34-BZ.

APPLICANT—John Palmeri, owner.

PREMISES—147-02 to 147-12 90th avenue, southeast corner of Sutphin boulevard (Block No. 780, Lot No. 16), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

DECEMBER 4, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 4, 1934, at 2 o'clock, in Room 1013, Municipal Building*, on the following matter:

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CAL. NO. 207-34-BZ—Application, July 12, 1934, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Anna Shattan, owner, to permit in a business district the erection and maintenance of a gasoline service sta-

tion; premises 97 Steuben street, north-east corner of Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

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BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 13, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Wednesday morning, November 7, 1934, and the minutes of the regular meeting of the board, held on Wednesday afternoon, November 7, 1934, were approved as printed in Bulletin No. 46, Volume XIX.

BUILDING ZONE CASES.

215-34-BZ.

APPLICANT—Leonard J. Tompkins, for Jamaica Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Merrick road (boulevard), and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Leonard J. Tompkins.

For Opposition: None.

ACTION OF BOARD—Laid over to November 27, 1934, at 2 p. m., for report of committee on inspection. No further argument.

238-34-BZ.

APPLICANT—Lama & Proskauer, for David F. Walsh, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassalotti.

For Opposition: Irving I. Steinman.

ACTION OF BOARD—Laid over to November 27, 1934, at 10 a. m., on request of applicant's representative.

191-34-BZ.

APPLICANT—Crocker Fire Prevention Corporation, for The Hermitage Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the use of a plot

of ground as a parking space for more than five motor vehicles.

PREMISES AFFECTED—2087 Boston road, west side, 100 ft. south of East 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: Bertha Mapes, Henry D. Becker, Earl I. Gallant, Richard M. Monfried and C. B. Harrington.

ACTION OF BOARD—Laid over to November 27, 1934, at 2 p. m., for report of committee on inspection. No further argument.

207-34-BZ.

APPLICANT—Herman Kron, for Anna Shattan, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—97 Steuben street, northeast corner of Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

APPEARANCES—

For Applicant: Herman Kron, Charles Shattan and L. M. Ventry.

For Opposition: John J. O'Brien and J. Durkee.

ACTION OF BOARD—Laid over to December 4, 1934, at 2 p. m., for report of committee on inspection. No further argument.

624-26-BZ.

APPLICANT—Leopold Spitz, for Apa Realty Corporation, present owner.

SUBJECT—Application for reopening—extension of permit—re Application (decision of the commissioner of buildings), under section 7f of the building zone resolution, to permit in a business district the maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Nassau boulevard and Kissena boulevard (Block No. 2167, Lot No. 36), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Charles Landesman and Herbert Ascher.

For Opposition: Edward A. Kole.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

592-24-BZ.

APPLICANT—Harry L. Alper, for Fannie Blumberg, present owner.

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SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district, the alteration and conversion of an existing garage for more than five (5) motor vehicles previously granted by the board, to include a gasoline service station.

PREMISES AFFECTED—240-250 Empire boulevard, southwest corner of Rogers avenue (Block No. 1314, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry L. Alper.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing, November 27, 1934, at 2 p. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4
Negative 0
Absent 0

179-34-BZ.

APPLICANT—Hugo E. Magnuson, for Estate of Maria K. Gray, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—Southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Leroy P. Ward, Hugo E. Magnuson and William P. Gray.

For Opposition: George P. Halperm, C. P. Bedum and Michael Kilgallon.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Absent 0

THE RESOLUTION—

(179-34-BZ)

WHEREAS, Hugo E. Magnuson, for Estate of Maria K. Gray, owner, filed June 21, 1934, an application under the building zone resolution to permit in a residence district the erection and maintenance of a business building (stores), premises: southwest corner of Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Anderson avenue is in a residence district; West 167th street is in a residence and business district; and Woodycrest avenue is in a residence and business district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 24, 1934, re N.B. 24-34, reads:

"1. Erection of proposed building in a residence district for business uses (stores) contrary to provisions of building zone resolution."

nd
WHEREAS, it is proposed to remove the existing frame dwelling on these premises and to erect a non-fireproof

building one story in height, with a frontage of 51 ft. on West 167th street and 36 ft. on Anderson avenue, to be occupied as four (4) stores; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 179-34-BZ.

Premises—Southwest corner Anderson avenue and West 167th street (Block No. 2509, Lot No. 56), Borough of The Bronx.

A committee of the board inspected these premises on November 8, 1934. The plot is located in a residence district at the southwest corner of West 167th street and Anderson avenue. On the plot there is now a 2½-story frame private dwelling.

The appeal is brought under section 21 for a zoning variance to permit the erection of one-story stores. This is a residence section consisting largely along Anderson avenue of apartment houses and private dwellings and the owners of these buildings are generally in objection to this proposed variance. Woodycrest avenue, the next avenue west and parallel to Anderson avenue, is zoned for business. Between this plot under appeal and the business area is a three-story frame tenement house, the owner of which also objects to this variance. Across 167th street from this site, there was an application before the board under Cal. No. 858-28-BZ to alter the first story into stores, which was denied, and the owner of this building stated at the hearing that he was now satisfied that the board had denied his request for stores in this building as stores were not needed and he is in opposition to the variance requested in this appeal for stores across West 167th street from his building.

In the opinion of the committee, this building can be used for conforming purposes, even though it may require some repairs to make it rentable. The committee agrees with the objectors that there is no need for more stores in this location and also that there is no justification in changing this corner to business use on a street that is properly zoned for residence use and developed with outstanding apartment houses.

In the opinion of the committee there is no hardship existing and to change the use of this plot to a business use would unquestionably bring unjustified hardship on the surrounding owners' residential property, and recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE.

CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

229-33-BZ.

APPLICANT—Joseph Goodis, for Autumn Goodis, owner.

SUBJECT—Application for reopening—amendment—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit the amendment of the resolution adopted by the board, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline

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service station—so as to permit the re-arrangement of buildings and also the inclusion of a brake service station (reopened June 5, 1934).

PREMISES AFFECTED—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(229-33-BZ)

WHEREAS, this application affecting premises 130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens, was granted by the board October 2, 1934, on certain conditions, and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on October 2, 1934, be and it hereby is *amended*, so that as amended, the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, permitting the site as indicated on plans filed with this application, namely 100 ft. on Jerome avenue and 103 ft. in depth, located mainly in business district and partly as to the rear 3 ft. in residence district, to be used as a gasoline service station, including brake adjusting, *on condition* that the property shall be cleared and levelled substantially to the grade of Jerome avenue, except that the present building, approximately 30 ft. by 60 ft. at the northwesterly portion may remain, and that there may be added additional accessory sections as indicated on revised plan marked 'Received June 22, 1934'; that the existing building and the additional sections shall not exceed one story in height and shall be constructed of fireproof material faced with cement stucco, except that the roof framing and boarding and windows and doors may be of wood, provided the weather roof surfacing is of non-inflammable material and the ceilings throughout are fire-retarded in accordance with the Rules of the Board of Standards and Appeals; that the existing building shall be used for brake service only and the additional sections for office, greasing pits and auto laundry; that along the northerly and easterly lot lines where not covered by accessory buildings there shall be erected a wall constructed of brick or cement block and faced with stucco on both sides and suitably coped, this wall to be not less than 8 ft. in height, except that this wall may start at a height of 4 ft. at the street line of Jerome avenue and be graduated at the rate of one foot in four to the height of 8 ft.; that there shall be no openings in this wall and accessory buildings to the adjoining properties; that there shall be no excavation under any of these buildings except for the pits for the greasing racks; that the front of the greasing rack section shall be left open; that the balance of the property where not

covered by accessory buildings and wall shall be paved with cement or asphalt for a distance of at least 45 ft. northerly from the Jerome avenue building line and for the entire width of the plot, the balance of the space to be surfaced with cracked blue stone, provided such space is cement or asphalt paved within one year's time; that such gasoline pumps as are erected shall be not nearer than 15 ft. from the street building line; that there shall be erected along street building line a concrete curbing not less than 5 in. in height and 12 in. in width with rounded top with not over two (2) openings therein, no opening to exceed 25 ft. in width and no part of any opening to be nearer than 8 ft. from interior lot lines on either side, with cuts in curb opposite such openings not exceeding 30 ft. in width each; that no portable gasoline tanks shall be used at or from the property; that advertising signs shall be limited to the illuminated globes of the gasoline pumps and to permanent flat signs attached to building; that no open flame shall be permitted on the property and that there shall be no automobile repairing other than the brake service; that there shall be no storage or parking of cars on the premises other than those being serviced; that all permits shall be obtained within three months and all work completed within six months from the date of this amended resolution."

229-34-BZ.

APPLICANT—Edgar J. Moeller for John McCluskey, owner.

SUBJECT—Application for reopening—amendment—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of repair shop for motor vehicles in connection with automobile sales building.

PREMISES AFFECTED—531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305-307), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(229-34-BZ)

WHEREAS, this application affecting premises 531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305-307), Borough of The Bronx, was granted by the board October 16, 1934, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on October 16, 1934, be and it hereby is *amended*, only so far as it refers to the clause reading: "that there shall be no open flame permitted and no forge or anvil"; so that as amended this provision of the resolution will read:

"That there shall be no forge or anvil permitted to be used on the premises and there shall be no open flame permitted, except that an acetylene burning and welding torch or electric arc may be permitted to be

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used in the second story, provided it is used at all times within a room completely separated from the balance of the floor, such room to be constructed of walls of terra cotta not less than 6 in. in thickness, the door to this room to be fireproof and self-closing and provided that the operator of such equipment shall hold the required certificate of fitness; that other than

as amended herein, the resolution as adopted by the board on October 16, 1934, shall be complied with in all respects."

Adjourned, 12:30 p. m.

EDWARD V. BARTON, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 30, 1934, as they appeared in Bulletin No. 45, Vol. XIX, are hereby corrected to read as follows:

298-33-SA.

PETITIONER—American Gas Machine Co., Inc., owner.

SUBJECT—American Blue Flame and Sun Flame Oil Burning Heaters, Models 73, 86, 88, 92, 93, 94, 95 and 96—approval of.

APPEARANCES—

For Petitioner: E. L. McFarland and A. S. Jorgensen.

ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board and the bureau of combustibles, fire department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(298-33-SA)

WHEREAS, American Gas Machine Co., Inc., filed Sept. 14, 1933, a petition with the Board of Standards and Appeals, for approval of the device known as the American Blue Flame and Sun Flame Oil Burning Heaters, models 73, 86, 88, 92, 93, 94, 95 and 96; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The burner consists of a vaporizing bowl made of cast iron and porcelain. Above the bowl and setting into it are perforated cylinders, 7 inches in height. These are held in place by a ring permanently bolted into place. The oil vaporizing in the bowl mixes with the outer air through the vaporizing cylinders. There are two sizes of bowls used, depending upon the size of the heater, namely, one of 8 inches and one of 10 inches in diameter. The level of the oil is maintained by a metering valve at not more than one-half inch. As an additional safeguard, these burners are equipped with genuine Detroit Lubricator Constant Level Valve. The fuel oil storage tank is located at the rear of the heater and between the tank and the walls of the heater there is a double air space, allowing the free circulation of air, thus preventing any abnormal rise in temperature of the oil in the storage tank. Tank is permanently fixed to the back of burner unit.

The models American Oil Burning Heater, Nos. 73, 86, 88, 92, 93, 94, 95 and 96, were inspected under oper-

ating conditions and during the period of this inspection and test there was no abnormal flooding of oil in the bowl and constant level valve functioned as required.

In recommending these space heaters and burners for approval, it is suggested that the following recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner:

1. Only safety cans approved by the New York fire department shall be used for storage and filling of oil containers.
2. The storage container must bear a label of the Delcalcomania type reading as follows:

NOTICE

FOR USE IN NEW YORK CITY
ONLY AN APPROVED SAFETY CAN SHALL
BE USED IN FILLING THIS
STORAGE CONTAINER.

3. Floor beneath the oil burning device shall be protected by an ½-inch asbestos or other equivalent shield, extending at least 12 inches beyond the outline of such device.

As these burners and heaters were installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals on June 15, 1934, it is recommended that same be approved for use in domestic and commercial installations for use with oil not heavier than No. 3, *on condition* that there shall be attached to each device a name plate permanently affixed stating that this device has been approved by the Board of Standards and Appeals for use in New York City under Cal. No. 298-33-SA.

Resolved, that the Board of Standards and Appeals does hereby *approve* the American Blue Flame and Sun Flame Oil Burning Heaters, Models 73, 86, 88, 92, 93, 94, 95 and 96, *on condition* that these burners shall be constructed in accordance with description filed with this application and as covered by report of Engineer of Board of Standards and Appeals and representative of bureau of combustibles, for use in domestic and commercial installations, provided any commercial installations shall not be used in occupancies deemed hazardous by the fire chief and commissioner, and that there shall be installed to each oil container, permanently affixed, a decalcomania or other approved type of label reading:

"NOTICE: Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 298-33-SA. Only an approved safety can shall be used in filling this container."

and that only approved safety cans shall be used for filling the fuel oil containers and that the floor beneath the oil burning device shall be protected by a shield of asbestos or other equivalent material not less than ½-inch in thickness extending at least 12 inches beyond the outline of the heater in all directions.

* Correction—Model 96 included in digest, report and resolution.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 2, 1934, as they appeared in Bulletin No. 41, Vol. XIX, are hereby corrected to read as follows:

204-24-BZ.

APPLICANT—Harry Ellman, for Meyer Zeitz, lessee.

SUBJECT—Application for reopening—amendment of resolution, permitting in a residence district (the district having been changed from business to residence on March 28, 1924, between the time of filing the application, February 6, 1924, and the action of the board of May 27, 1924) the change of occupancy of an existing building from a garage previously granted for the storage of more than five (5) motor vehicles to a junk shop.

PREMISES AFFECTED—469-475 Hemlock street (Block No. 4200, Lot Nos. 9 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Ellman and Abraham Zeitz.

ACTION OF BOARD—Application reopened and resolution amended.

**Correction—word "business" changed to "residence" in line 3 of digest and following added in same line—("the district having been changed from business to residence on March 28, 1924, between the time of filing the application, February 6, 1924, and the action of the board of May 27, 1924.")*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 9, 1934, as they appeared in Bulletin No. 42, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(235-23-BZ)

WHEREAS, Edwin W. Kleinert, for Albert Ritterman, present owner, filed an application for reopening, garage having been granted September 30, 1924, under the building zone resolution to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station; premises: 2306-2324 Neptune avenue (Block No. 7015, part of Lot No. 3), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 9, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Neptune avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 16, 1934, re Applic. No. 106665-1934, reads:

"1. A change in occupancy of a portion of a building erected under permit granted by the Board of Appeals from one prohibited use to another, must be referred to Board of Appeals."

and

WHEREAS, the building is of non-fireproof construction,

**Correction—"100" changed to "160" in line 26 and "160" changed to "100" in line 27, also words "agreeing with the balance of the front of the building" omitted in lines 58 and 59 of resolution.*

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(204-24-BZ)

WHEREAS, this application affecting premises 469 to 475 Hemlock street (Block No. 4200, Lot Nos. 9 and 10), Borough of Brooklyn, was granted by the board May 27, 1924, on certain conditions, and lessee requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on May 27, 1924, be amended by adding thereto the following provision:

"That this building may for a period of two (2) years from the date of this action be occupied for the storage of rags instead of a public garage, on condition that at all times rags shall be baled with no loose rags or other material on premises exceeding 1,000 lbs., and that while this occupancy is continued the building shall comply with all the laws, regulations and requirements applicable to this occupancy."

one story in height, with a frontage of 160 ft. and a depth of 100 ft., occupied as a garage, it is proposed to set back a portion of the front wall for a gasoline service station.

Resolved, that the resolution adopted by the board on September 30, 1934, be and it hereby is amended by incorporating therein this additional paragraph reading:

"That the front wall of this building for a distance of 80 ft. toward the west may be eliminated to provide for the construction of an alcove gasoline station, as indicated on plans marked 'received September 14, 1934,' on condition that there shall be constructed at a point at least 19 ft. southerly from Neptune avenue and parallel thereto a continuous masonry wall for the full height of the building from the foundation below the floor line to the underneath side of the roof boarding; that the roof over this proposed gasoline selling station alcove shall be completely removed; that the wall along the westerly lot line shall remain out to the building line; that all windows from this gasoline alcove opening into the garage or garage office shall be fireproof, self-closing; that no gasoline pumps shall be erected nearer than 10 ft. from the street building line and not nearer than 5 ft. from the garage wall; that any existing or proposed gasoline tanks shall be buried so that the tanks are below the level of the boiler room floor; that the boiler room shall be entirely separated from the balance of the building by fireproof construction and enterable only from the exterior of the building; that no portable gasoline tanks shall, after the construction of this gasoline selling alcove, be used on or from the entire premises; that the gasoline selling alcove wall shall be constructed of face brick and trimmings; that nothing in this amendment shall change or alter any provision in the resolution adopted by the board on September 30, 1934, except as to the construction of this gasoline selling alcove; that all permits required shall be obtained within six months and all work completed within one year from the date of this amended resolution."

RULES

RULES FOR INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AS AMENDED DECEMBER 6, 1917, AND FEBRUARY 7, 1918.

NOTE.—In republishing these Rules, no corrections have been made as to departmental jurisdiction, as such may be affected by the McCall Bill known as Chapter 764 of the Laws of 1933.

Rule 1. Sending Stations. Except as hereinafter otherwise provided, there shall be at least one fire alarm sending station in each story of any building requiring a manual fire alarm signal system, located in a natural path of escape from fire at a readily accessible point designated by the fire commissioner, which always shall be kept clear. Additional sending stations shall be installed so that no point on any floor shall be more than one hundred feet distant from the nearest sending station in that story. Such stations shall be so located and constructed that whoever discovers a fire can cause an alarm to be sounded immediately by operating the station.

In factory buildings, as defined in the labor law, not exceeding five stories in height and 2,500 square feet in area in any story above the first in which not more than fifty persons are employed at any time above the first story and in which closed circuit fire alarm systems are installed, the number of sending stations may be reduced with the approval of the fire commissioner when the occupancy is not especially hazardous and the arrangement of exit facilities is such as to permit the alarm box or boxes to be located in the main exit path from the building.

Rule 2. Signaling Devices. There shall be installed in each story of any building requiring a manual fire alarm signal system one or more signaling or alarm devices placed at accessible points, with the lowest part at least eight feet above the floor where practicable. They shall not be placed on the exterior of a building except by special written permission of the fire commissioner.

Such devices may consist of bells, gongs, whistles, or horns, or other approved devices, and shall be of the same type throughout any one installation. Permission may be granted to install special signaling devices in a particular section of a factory plant differing from the devices in other sections, where necessary for audibility and effectiveness.

Rule 3. Classification. For the purpose of the fire alarm rules, interior manual fire alarm signal systems shall be classified with respect to operation and use, as: mechanical systems, non-coded closed circuit systems and coded closed circuit systems.

Rule 4. Mechanical System. Mechanical fire alarm signal systems are systems consisting of signaling devices, operated mechanically, automatically, manually or by open electric circuits. When mechanically operated, the mechanism shall be enclosed in substantial cabinets; shall be of metal thoroughly protected against corrosion and injury and all mechanical parts shall be designed to have a factor of safety of not less than ten, based upon the maximum stress to which any part of the mechanism may be subjected. When pull wires or chains are used they shall be enclosed in rigid conduits, and all pulleys, springs, cranks, expansion joints, and other vital parts of the system shall be placed in readily accessible positions for inspection. The pull required at any sending station to operate the system shall not exceed twenty-five pounds.

Rule 5. Non-Coded Closed Circuit Systems. Non-coded closed circuit fire alarm signal systems are systems constituting of sending stations and signaling devices, operated on supervised closed electric circuits which send continuous or non-coded signals.

When such systems are installed in buildings, the signaling devices shall be capable of giving a signal consisting of not less than forty taps or blows, or an alarm of at least four minutes' duration, either continuous or intermittent, for one to one-and-a-half seconds, at intervals of not less than one-half nor more than one second.

Rule 6. Coded Closed Circuit Systems. Coded closed circuit fire alarm signal systems are systems consisting of sending stations and signaling devices, operated on supervised closed electric circuits, which send round of coded signals to indicate the floor or portion of the same from which the alarm was sent.

When coded systems are installed in buildings, the code numbers to be used shall be designated by the fire commissioner and shall be sounded at least four times for each operation of an alarm box.

Rule 7. Five-Story Factories. In factory buildings, as defined in the labor law, not exceeding five stories in height nor 2,500 square feet in area in any story above the first, occupied by not more than one tenant, in which not more than one hundred persons are employed at any time above the first story, or occupied as a tenant factory in which not more than fifty persons are employed at any time above the first story, the fire commissioner shall accept either mechanical, non-coded closed circuit or coded closed circuit fire alarm signal systems. (Amended February 7, 1918.)

Rule 8. Six-Story Factories. In non-fireproof factory buildings, as defined in the labor law, not exceeding six stories in height nor 5,000 square feet in area in any story above the first, occupied by not more than one tenant, in which not more than one hundred and fifty persons are employed at any time above the first story, or occupied as a tenant factory in which not more than one hundred persons are employed at any time above the first story, the fire commissioner shall accept either non-coded or coded closed circuit fire alarm signal systems.

In non-fireproof factory buildings, as defined in the labor law, exceeding six stories in height or 5,000 square feet in area in any story above the first, the fire commissioner shall accept coded closed circuit fire alarm signal systems.

Rule 9. Eight-Story Factories. In fireproof factory buildings, as defined in the labor law, not exceeding eight stories in height nor 5,000 square feet in area in any story above the first, in which not more than one hundred and fifty persons are employed at any time above the first story, the fire commissioner shall accept either non-coded or coded closed circuit fire alarm signal systems.

In fireproof factory buildings, as defined in the labor law, exceeding eight stories in height or 5,000 square feet in area in any story above the first, the fire commissioner shall accept coded closed circuit fire alarm signal systems.

Rule 10. Sub-Divided Buildings. Where a building is sub-divided by fire walls, each section shall be deemed a separate building for the purpose of fire alarm signal system installations. One control board may be used, if so arranged as to operate the signaling devices in each section of the building independently.

Rule 11. Mixed Occupancy. In buildings requiring fire alarm signal systems, of which parts are occupied by other than factory tenants, and in which the conditions of construction and occupancy warrant the establishment of a local fire brigade, the fire commissioner shall accept dual operation systems.

When dual operation systems are installed, they shall be so designed that the operation of any station shall cause the sounding of the signal only on the signaling devices located in the engine room, basement or other places in the building where the members of the fire brigade work or assemble. Approved means shall be provided at each station, so arranged that a subsequent operation of any station shall cause the sounding of the signals on all the gongs throughout the building. Such systems shall be of the coded closed circuit type.

Rule 12. Existing Installations. Fire alarm signal systems heretofore installed in buildings in the City of New York and approved in writing by the fire commissioner shall be accepted as long as they are maintained.

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Rule 13. Sources of Electrical Energy. Sources of electrical energy used in operating fire alarm signal systems shall be: electric light and power systems, storage batteries and primary batteries. Such sources of energy shall be used under conditions and limitations specified by the board of standards and appeals.

In electric fire alarm signal systems one source of energy shall be connected to the system at all times. All auxiliary sources of energy shall be so arranged and controlled by automatic switch that when the primary source of energy fails, the second source will be automatically connected to the fire alarm signal system.

Rule 14. Isolated Plants. Energy from isolated electric light or power plants may be used for fire alarm signal systems only when there is more than one generating unit and the plant is always in operation when the building is occupied. When only one generator unit is employed, the source of energy shall be supplemented by storage battery or other auxiliary service.

Rule 15. Public Service. When the energy for a fire alarm signal system is supplied by a public service light or power system, connection shall be made on the street side of the service switch, except that permission shall be given by the fire commissioner to connect on the house side of the meter in new buildings, when all electric wiring and appliances in the building have been approved by the administrative authorities having jurisdiction. When a house side connection is made in existing buildings, a certificate shall be furnished from an accepted authority certifying that all electric wiring and appliances in the building are properly installed and in good condition. The fire alarm cutout in house-side connections shall be the first connections on the house side of and as near as possible to the meter, and shall be enclosed in a locked or sealed metal cabinet.

For connection to outdoor overhead service lines special permission in writing from the fire commissioner shall be necessary.

Rule 16. Storage Batteries. When a storage battery equipment is used as the sole source of energy for a fire alarm signal system, the storage batteries shall be provided in duplicate. Such installations shall be equipped with a switchboard or panel of approved material on which are mounted volt meters, ammeters, circuit breakers, fuses, resistances, switches, starting devices for motors, field rheostats for generator and other apparatus required for charging and operating the batteries.

Rule 17. Primary Batteries. When primary batteries are used to supply the energy for the fire alarm signal systems, the batteries shall be ample in size to satisfactorily operate the system.

When such batteries supply the energy for open circuit systems, there shall be provided two sets of cells connected in multiple-series, having not less than six cells in each series, coupled together by means of approved battery connectors.

When caustic soda batteries are employed approved heat resisting jars shall be used and at least one transparent jar shall be provided in each series for the purpose of observing the condition of the elements.

Rule 18. Acceptance Test. Upon completion of a fire alarm signal system and as a condition of acceptance, a test of the entire installation shall be made under the direction of the fire commissioner. All electrical systems shall show an insulation resistance of not less than ten megohms.

The owner or contractor shall furnish all the necessary tools, instruments and labor to conduct this test when required by the fire commissioner.

Rule 19. Daily and Monthly Test. In factory buildings, as defined in the labor law, every fire alarm system shall be tested each morning immediately after the hour of starting work in the building to make sure that the system is maintained in an operative condition. No such system shall be used for any other purpose, except that daily dismissal signals may be given if authorized by

the fire commissioner. The use of the system for fire drill purposes may be considered a test of those parts of the system actually used. Each sending station shall be tested at least once every month. All apparatus requiring winding shall be rewound after each operation and kept in normal condition.

A complete record shall be kept of the monthly tests and of all fire drills, which record shall be subject to inspection by the fire commissioner.

Rule 20. Maintenance. Interior fire alarm systems shall be maintained in operating condition at all times, unless the buildings are vacated for a period longer than one week. If the system becomes inoperative at any time, it shall be the duty of the owner or the persons designated by him to be in charge of the system to notify all the occupants of the building and to take immediate steps to have the system restored to working order. If, for any reason, it becomes necessary to disconnect the source of energy or the operating medium of any system, the owner or other responsible person shall notify the fire commissioner at least forty-eight hours in advance of such disconnection, stating the reason therefor.

Rule 21. Alarm Boxes. In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron and drilled to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back-boxes imbedded in the wall may be used and the conduit shall be properly secured by lock nuts and bushings. All current-carrying parts shall be insulated from parts of opposite or lower polarities with approved insulating material.

All pull box cases shall be fitted with a glass panel or a door to protect the pull lever against accidental injury. Such door shall have a handle rigidly secured thereon and be so constructed as to open readily. The wording "In case of fire open door and pull down lever as far as it will go," or equivalent instructions, shall appear on the door.

All break-glass type fire alarm boxes shall be provided with suitable hammers on chains attached to or near the boxes with which the glass can readily be broken. All break-glass boxes shall have lettered on the fronts the words, "Fire Alarm—In case of fire break glass" and such additional instructions as may be necessary to send in an alarm.

On open circuit systems, alarm boxes shall have scraping type contacts with surfaces ample in size and mechanical strength and of sufficient capacity to carry the maximum current which may flow for at least one hour without appreciable heating.

On closed circuit systems, contact points operated by a break wheel and contact points on testing devices shall be of the scraping type. Such contact points shall be secured in a substantial manner to phosphor bronze springs and be so constructed as to positively break a circuit carrying one-tenth amperes at 250 volts under actual working conditions. Lever boxes shall be so designed as to automatically wind when the lever is pulled for alarm. Boxes requiring glass replacements shall be so arranged that replacements cannot be made until the mechanism is reset for another alarm.

Rule 22. Station Testing Devices. When electrical operated fire alarm systems are installed, at least one station in each system shall be provided with an auxiliary switch or other device to test the signaling devices, located in one of the alarm boxes or mounted on the control board. In closed circuit systems, such testing device shall be arranged to make the test without operating the break wheel of the box.

Provision shall also be made for a silent test of closed circuit fire alarm box mechanisms without operating the signaling devices. Such device shall be designed to prevent any persons except those in authority from operating the same and to prevent the possibility of the box being left inoperative after the test.

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Rule 23. Supervising Current. When closed circuit fire alarm systems are used, a small current flow to constantly supervise each circuit shall be maintained. A milliammeter, or other approved current indicator shall be provided and so connected as to indicate the supervising current.

Such supervising circuit shall be provided with a trouble bell arranged to ring continuously in case of any disarrangement of the system. The trouble bell shall be placed in the engine room or other approved location, free from moisture, dust and possibility of mechanical injury, under frequent view and in audible range of some responsible person in the building and shall be connected to the electric light or power service in the building. Permission may be granted by the fire commissioner to connect the trouble bell to a battery of at least four cells of approved type.

Rule 24. Protection of Sending and Signaling Devices. In fire alarm signal systems all moving parts of sending stations and signaling devices shall be enclosed in metal casings, made dust-proof and damp-proof when necessary, and clearly marked with instructions for use.

Whenever necessary, hammer rods of gongs shall be suitably protected against mechanical injury or derangement by the use of a guard or other suitable means. If subject to mechanical injury, the entire device shall also be enclosed in a protecting case made of approved wire netting or perforated metal. All casings shall be insulated from current-carrying parts, but shall be grounded to the conduit in electrically-driven systems.

Rule 25. Electric Apparatus. In electrically operated interior fire alarm signal systems, not more than twenty alarm boxes nor more than fourteen gongs shall be placed on one circuit. All electrically actuated apparatus shall be so designed and constructed that it will operate satisfactorily at a current flow of 25 per cent above or below the normal operating current. In battery systems, the normal operating current shall be indicated on all relays and gongs.

Magnet windings shall be impregnated with an insulating moisture-repelling compound or shall be of enameled wire.

All connections shall be properly protected, securely made and where subject to motion, shall be approved flexible wire.

Binding posts shall be of such a character that wire is held between two flat surfaces.

Adjustments must be of such a character that they can be securely locked.

Contact points shall be ample in area, not only to take care of the current used in operation, but to insure long life and shall be of pure silver, platinum, or other approved material.

The armatures of all relays shall primarily depend on gravity for their operation, but this action may be assisted by springs when approved by the fire commissioner.

Rule 26. Control Boards. All relays, current indicators, resistances, time limit devices, and other apparatus used in connection with the operation and supervision of closed circuit fire alarm signal systems shall be properly mounted on a panel of approved material, in a metal cabinet provided with lock and key. The control board shall be located in a place subject to the least vibration, free from moisture, inflammable gases, dust and mechanical injury, and under frequent view of a responsible occupant of the building delegated by the owner to be in charge.

Rule 27. Battery Cabinets. All batteries for fire alarm signal systems shall be placed in substantial protecting cabinets thoroughly ventilated, elevated not less than one nor more than five feet above the floor, and located in clean, dry and cool places where the temperature will not be less than 40 nor more than 100 degrees Fahrenheit. Main battery cabinets shall be so constructed that the condition of the elements may be observed without disturbing the cells.

Metal battery cabinets shall be constructed of sheet iron or steel, not less than No. 14 U. S. Gauge in thickness,

properly reinforced by angle irons, with self-closing doors provided with lock and key and wood shelves not less than seven-eighths of an inch thick, properly fastened and secured to prevent sagging. The interior and the exterior of the cabinet shall be protected with three coats of asphaltum compound, each coat to be thoroughly dry before the next is applied, or with baked enamel. Where dry cells are housed in metal battery cabinets, the supports shall be so constructed as to prevent the cartons from coming in contact with the metal of the cabinet and with each other.

Wood battery cabinets shall be constructed of the first grade of kiln dried wood not less than seven-eighths of an inch thick and shall be provided with self-closing door and approved lock. The shelves shall be not less than seven-eighths of an inch thick properly fastened and secured to prevent sagging. The cabinet shall be of substantial construction, painted on the interior with three coats of asphaltum compound and on the exterior with three coats of lead paint or two coats of varnish. Where dry cells are housed in wood battery cabinets, the supports shall be so constructed as to prevent the cartons from coming in contact with each other.

Rule 28. Attachment to Walls. All material and devices used in fire alarm signal systems shall be rigidly secured in position and when attached to masonry walls, shall be fastened by through bolts, metal expansion shields or toggle bolts. Wooden plugs shall not be used.

When the fire alarm apparatus is mounted upon a back board, such back board shall be not less than seven-eighths of an inch thick, filled with a non-absorptive compound with an air space of at least one-quarter of an inch behind the back board for the free circulation of air.

Rule 29. Painting of Equipment. All enclosing cases for fire alarm apparatus shall be finished in red, except where special permission is given by the fire commissioner to deviate from this requirement.

Rule 30. Wiring. Except as may be otherwise specifically prescribed by the board of standards and appeals, the wiring shall conform to the requirements of Chapter 9 of the Code of Ordinances for light and power installations. Conduits shall contain only conductors used in the fire alarm system. All conductors shall be run in approved rigid iron conduit. Armored cable may only be used by special approval of the fire commissioner. When special care is taken to insure the wires against injury, four wires may be placed in half-inch rigid iron conduits. Splices shall be permitted only where absolutely necessary. Conductors shall consist of not less than No. 14 B. & S. gauge copper wire, having rubber insulation wall not less than 3/64 inches thick.

Where necessary to assure reliable service, connections of conductors to terminals or binding posts shall be soldered. The use of a blow torch for soldering connections to terminals shall not be permitted.

Where wires pass underground from one building to another, they shall be enclosed in conduits and shall be lead encased. Wires between buildings, when not run in conduit, shall be at least equivalent in conductivity and tensile strength to No. 8 B. & S. gauge copper wire for box and signaling circuits and shall be supported at least every seventy-five feet on approved glass insulators and brackets. As far as possible they shall be run under, rather than over, electric light or power wires.

Rule 31. Sprinklered Buildings, Sources of Water Supply. In the enforcement of the provisions of §83-a, labor law, with respect to fire alarm signal systems and fire drills, automatic sprinkler systems shall be deemed to have two adequate sources of water supply within the meaning of said section, if the system is a two-source system as defined in the Rules of the Board of Standards and Appeals for Fire Extinguishing Appliances, or when the system is equipped with and supplied by either a gravity tank or a pressure tank and a fire department connection. (Amendment, Dec. 6, 1917.)

RULES

EXTRACTS FROM CHAPTER 10, CODE OF ORDINANCES OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1. General Provisions.

§1. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

33. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3 \frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, business buildings, and residence buildings are buildings as so defined by section 70, Article 4, of the Building Code of the City of New York.

NOTE:—**Public Buildings.** Public Buildings are buildings or parts of buildings in which persons congregate for civic, political, educational, religious or recreational pur-

poses, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

NOTE:—**Residence Buildings.** Residence buildings are buildings or parts of buildings in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including among others, dwellings, tenement houses, hotels, lodging houses, dormitories, convents, and studios and club houses having sleeping accommodations.

NOTE:—**Business Buildings.** Business buildings are buildings or parts of buildings, which are not public buildings or residence buildings, including among others, office buildings, stores, markets, restaurants, warehouses, freight depots, car barns, stables, garages, factories, laboratories, smoke houses, grain elevators and coal pockets.

ARTICLE 3.

Bonds and Fees.

§43. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	\$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

ARTICLE 18.

Refrigerating Systems.

Section 216. Permits.

- " 217. Supervision.
- " 218. Classification.
- " 219. Permissible locations.
- " 220. Machinery rooms and ventilation.
- " 221. Open flames and electrical equipment.
- " 222. Testing.
- " 223. Piping.
- " 224. Safety devices.
- " 225. Size of safety devices.
- " 226. Location and discharge of safety devices.
- " 227. Operating precautions.
- " 228. Equipment diagrams.

§216. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) No refrigerating system shall be maintained or operated employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

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1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$, and monofluorotrichloromethane ("F-11") CFCI_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 10 of the Code of Ordinances, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors, and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section 220-1-(a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section 220-(2) a-b-c and d.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section 222 (a) as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One $\frac{1}{2}$ inch
30 to 60 "	One $\frac{3}{4}$ "
60 to 100 "	One 1 "
100 to 175 "	One $1\frac{1}{4}$ inches
175 to 250 "	One $1\frac{1}{2}$ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section 227-3 (e) for other refrigerants.

14. That all other sections or parts of Article 18 of the Refrigerating Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§217. Supervision.

(a) No refrigerating system containing more than fifty (50) pounds of refrigerant shall be maintained or operated in any building except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the police department. Where the system contains not more than 200 pounds of refrigerant and is fully automatic only one qualified operator will be required.

(b) No Class C system as hereinafter permitted for exhibition or demonstration purposes shall be maintained or operated in a public building or exhibition hall except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the police department.

§218. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and over the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§219. Permissible Locations.

(a) No Class A or Class B systems shall be installed in any public building as defined by section 70, article 4, of the Building Code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall

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be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes or both; when not carried above the first floor in business buildings; in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant; in the business section of a residence building when not carried above the first floor; in a residence building occupied by not more than two families; or in any building provided a non-irritant and non-flammable refrigerant is used.

(c) No brine shall be used in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) No Class A system using ammonia shall be installed or maintained in any building above the first floor level unless such building is used exclusively for icemaking or refrigerating purposes.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) No refrigerating system employing an irritant and/or flammable refrigerant shall be installed or maintained in or on:

1. The stairways, halls, lobbies, entrances, exits, auditoriums of any building.

2. Dance hall, court room, police station, jail, subway, theatre, motion picture theatre.

3. Waiting or public rooms in a railroad passenger depot and/or rooms opening directly therein.

4. Rooms opening directly into a subway, and/or theatre, and/or motion picture theatre and/or where persons are detained and/or confined.

5. A school unless the refrigerating system is used exclusively for instructions or research purposes.

6. A hospital and/or asylum in which persons are confined or given medical treatment and/or helpless.

7. Unless as otherwise required by this section the refrigerating system is cut off from the building by unpierced fireproof construction.

The aforementioned provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals and/or laboratories and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing door or doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof door or doors.

§220. Refrigerating Machinery Rooms and Ventilation.

1. Refrigerating machinery rooms.

(a) All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing, fire doors or to a system containing less than six pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

(b) In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

2. Ventilation.

(a) Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

(b) When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in paragraph (d) shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in column E of the above-mentioned table.

(c) When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in column B of the table in paragraph (d). The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in column C of the above-mentioned table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

(d)

Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Area Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in. Sq. Ft. for One Side Only.
A	B	C	D	E
Up to.....20	150	1/4	1	6
50	250	1/3	1 1/2	12
100	400	1/2	2	16
150	550	2/3	2 1/2	19
200	680	2/3	3	25
250	800	1	3 1/2	29
300	900	1	4	32
400	1,100	1 1/4	4 1/2	38
500	1,275	1 1/4	5	42
600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78

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1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10.5	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,000	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings, leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

(e) Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in table (d) may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

(f) In lieu of mechanical means of ventilation in refrigerating machinery room or rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch ($\frac{1}{4}$ ") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a $\frac{3}{4}$ -inch pipe; five heads on a 1-inch pipe; six heads on a $1\frac{1}{4}$ -inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated, easily accessible and shall be labeled and located outside of the refrigerating machinery room.

§221. Open Flames and Electrical Equipment.

1. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

2. Electrical equipment.

(a) All Class A and B systems, refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

(b) Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§222. Testing.

(a) Every part of any refrigerating system, except pressure gauges and control mechanism, shall be tested to at least the following pressures. Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side.	
		With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§223. Piping.

1. Piping.

(a) All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

(b) The arrangement of stop valves, relief devices, etc., when used shall be as shown on the diagram for Class A and B systems in section 228.

(c) Every system which may be charged after installation shall have the charging connection located on its low pressure side.

2. Gauge glasses.

(a) Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§224. Safety Devices.

1. Construction and setting.

(a) Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section 222 (a), columns 1 and 2 of table.)

(b) Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

2. Use of stop valves.

(a) No stop valve shall be located between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

(b) A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

3. Ammonia mixer.

(a) The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

(b) The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

(c) No valve shall be located in the ammonia emergency discharge line except the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

(d) The manually operated pressure relief valve shall be located in a locked box which can be opened by members

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of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled having letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

(e) A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

(f) The fire department shall have sole use of the mixer and supply the necessary water.

(g) In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

(h) The ammonia mixer and its connection for a Class A system shall conform to the diagram in section 228.

§225. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1-1/2"	1-1/2"
30 to 60 tons.....	1-1/2"	1-3/4"
60 to 100 tons.....	1-1/2"	1-1"
100 to 175 tons.....	1-1/2"	1-1 1/4"
175 to 250 tons.....	1-3/4"	1-1 1/2"
250 to 450 tons.....	1-1"	1-2"
450 to 900 tons.....		2-2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

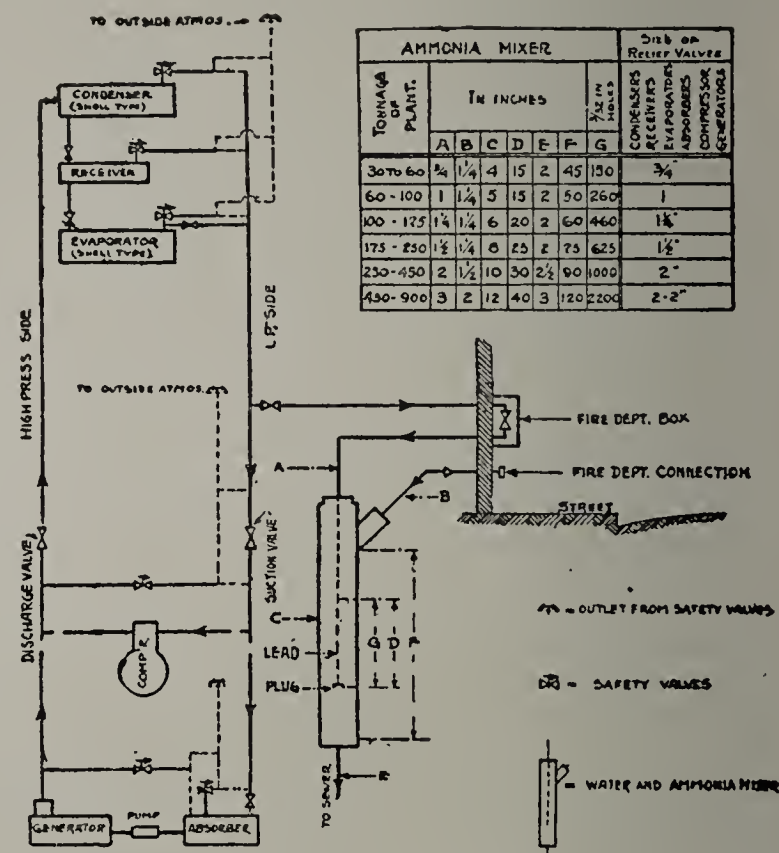
§226. Location and Discharge of Safety Devices.

1. Location.

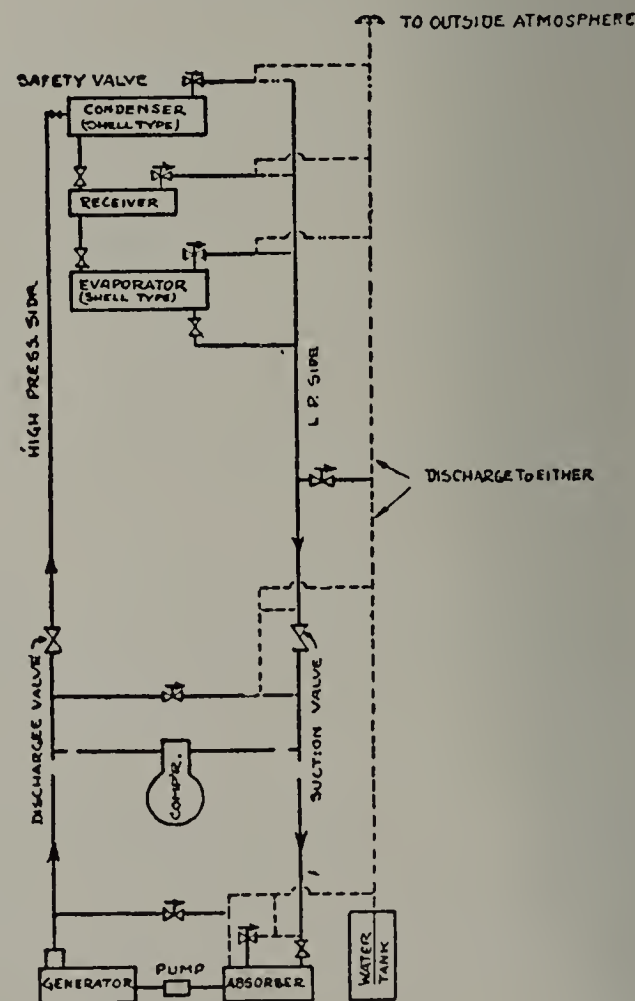
(a) A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of this chapter to the contrary notwithstanding.

(b) Location and discharge of safety devices. Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

(c) A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'A' EQUIPMENT
SECTION 228



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'B' EQUIPMENT
SECTION 228

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(d) Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

(e) Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to an abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

(f) A pressure relief valve will be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section 228-2.

2. Discharge of pressure relief valve.

(a) Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in section 224, 3. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

(b) Where more than fifty (50) pounds of ammonia is used in a Class B system the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems or to the low pressure side as shown in diagrams in section 228, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

(c) Where more than fifty (50) pounds of any refrigerant other than ammonia is used the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbon dioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

(d) Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section 228.

§227. Operating Precautions.

1. Masks and helmets.

(a) In a Class A system which operates above atmospheric pressure shall be provided with at least two helmets or masks.

(b) In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

(c) Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

2. Signs.

(a) On Class A and Class B systems containing more

than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, condensers, shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

(b) The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system and the purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

(c) The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

3. Storage of refrigerant.

(a) Refrigerant not contained in the refrigerating system shall be stored only in flammable or irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

(b) Only two containers holding not more than a total of three hundred (300) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery rooms of a Class A system.

(c) Only one container holding not more than one hundred and fifty (150) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

(d) In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

(e) If a greater amount of flammable or irritant refrigerant is desired other than that permitted in a refrigerating machinery room, it shall be stored in a fireproof building or enclosure used for no other purpose.

(f) When the refrigerant is withdrawn from a system it shall be discharged into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. No refrigerant shall be permitted to escape into the refrigerating machinery room.

(g) Containers shall not be connected to the system except during period of charging or withdrawing the refrigerant.

§228. Equipment Diagrams.

Section 5. This ordinance shall take effect immediately. Adopted by the Board of Aldermen December 13, 1927. Received from his Honor the Mayor December 30, 1927, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

ARTICLE 26.

Miscellaneous.

§300. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of this chapter, in addition to any other penalties prescribed by law or ordinance, shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	38
Cases filed up to November 14, 1934.....	315	Dismissed	14
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		Granted on condition.....	155
		Appliances approved	64
		Appliances dismissed, disapproved or withdrawn....	31
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Requests to reopen.....	266	Requests to reopen granted.....	233
Requests to amend.....	89	Requests to reopen denied.....	19
Requests for modification.....	1	Requests to amend granted.....	89
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	54	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	12	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	54
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total.....	1,046	Requests for extension of permit granted.....	12
Disposed of	857	Requests for extension of permit denied.....	0
Cases pending November 14, 1934.....	189	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	12
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	14
		Total.....	857

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 48

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Call of Clerk's Calendar.

Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, November 20, 1934, at 10 A. M.

Minutes of Regular Meeting, November 20, 1934, at 2 P. M.

Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

Approved Burners for Domestic and Commercial Use.

Approved Fuel Oil Pumps.

Approved Fireline Hose Valves.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, November 26, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, December 3, 1934, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to November 21, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
328-34-BZ.....	D.B.Bx....	1449 Vyse ave. (Block 2987, Lot 33), The Bronx. Alt. 361-34.
327-34-BZ.....	D.B.B....	615 Baltic st. and 111-113 4th ave., N.E. cor. (Block 937, Lot 1), Brooklyn. Applic. 15295-34.
326-34-BZ.....	D.B.B....	789-791 Bedford ave., N.E. cor. Park ave. (Block 1715, Lot 1), Brooklyn. Applic. 15511-34.
325-34-SA.....	F.D.....	Diamond Range Oil Burner, Appliance.
324-34-BZ.....	D.B.B....	1787-1791 Coney Island ave. (Block 6749, Lot 73), Brooklyn. Applic. 14525-34.
323-34-SA.....	F.D.....	Hi-Heat Range Oil Burner, Appliance.
322-34-SA.....	F.D.....	Shawmut "De Luxe" Range Burner, Appliance.
321-34-SA.....	F.D.....	Shawmut "Junior" Range Burner, Appliance.
320-34-BZ.....	D.B.Q....	71-39 to 71-49 Cooper ave., 71-54 to 71-66 72nd st., N.W. cor. (Block 3688, Lot 38), Glendale, Queens. Applic. 7232-34.
319-34-BZ.....	D.B.M....	412-414 Lexington ave. (Block 1280, Lot 54), Manhattan. Zoning Viol. 93-34.
318-34-BZ.....	D.B.M....	25-43 Vanderbilt ave. (Block 1280, Lot 1), Manhattan. Zoning Viol. 92-34.
317-34-BZ.....	D.B.Q....	S.E. cor. Grand Central parkway and Parsons blvd. (Block 2622, Lot 323), Jamaica, Queens. Applic. 2079-34.
316-34-BZ.....	D.B.B....	975-979 McDonald ave., 73 Webster ave., N.E. cor. (Block 5415, Lot 1), Brooklyn. Applic. 15322-34.

Restored to Calendar.

354-32-BZ.....	D.B.B....	598 Flatbush ave. (Block 5026, Lot 136), Brooklyn. Applic. 6249-32.
259-25-SA.....	F.D.....	Electrol Automatic Oil Burner, Models "C" and "EA", Appliance.
340-23-BZ.....	D.B.Q....	888-898 Jamaica ave., S.W. cor. of Autumn ave. (Block 4107, Lot 41), Brooklyn. Applic. 10942-34.

- CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

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Factory Exit Rules.....	Nov.	14, 1933—Vol. 18 No. 46
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Paint, Varnish and Lacquer Spraying Equipment.....	Nov.	27, 1934—Vol. 19 No. 48
Range Oil Burners.....	Nov.	13, 1934—Vol. 19 No. 46

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 26, 1934, AT 2 P. M.

Building Zone Cases.

243-34-BZ.	APPLICANT—Samuels and Samuels for A. R. Olson Bldg. Co., Inc., owner.
	PREMISES—2909-2917 86th street and 525-535 Van Siclen street, northeast corner (Block No. 7169, Lot No. 28), Borough of Brooklyn.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.
267-34-BZ.	APPLICANT—Scacchetti & Siegel, for Rosa B. R. Heintz and Jacob Siegel, owners.
	PREMISES—East side of Jerome avenue, 160.08 ft. north of East 213th street (Block No. 3329, Lot No. 92), Borough of The Bronx.
	APPLICATION, under section 21 of the building zone resolution,
	TO PERMIT in a business district the erection and maintenance of a gasoline service station.

CALENDAR

269-34-BZ.

APPLICANT—Samuels and Samuels, for Marcus Cohn, owner.

PREMISES—Northwest corner of Woodhaven boulevard and 162nd avenue (Block No. 4040, Lot No. 87), Aqueduct, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

NOVEMBER 27, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 27, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 238-34-BZ—Application, August 15, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of David F. Walsh, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

CAL. NO. 5-34-BZ—Application, January 15, 1934, withdrawn March 20, 1934 and reopened September 18, 1934, under section 21 of the building zone resolution, of Joseph A. Gelbman, applicant, on behalf of Elsie S. Domville, owner, to permit in a residence district the change of occupancy of an existing building from residence use to business use; premises 15 East 61st street (Block No. 1376, Lot No. 12), Borough of Manhattan.

CAL. NO. 258-34-BZ—Application, October 15, 1934, under section 21 of the building zone resolution, of J. M. Felson, applicant, on behalf of 2230 Grand Concourse Corp., owner, to permit in a residence district the erection and maintenance of a building to be used in part for business purposes (stores); premises northeast corner of East 182nd street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx.

CAL. NO. 500-28-BZ—Application of William Shary, applicant, for Charles Zenker, present owner, reopened October 2, 1934, under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station; premises 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 27, 1934, 2 P. M.

Appeals from Administrative Orders.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

280-34-A—60 Pine street (Block No. 41, Lot No. 16), Manhattan.

Appliances Submitted for Approval.

300-34-SA—Johnson Anti-Syphon Rotary Plunger Pump.

311-34-SA—Evur-Ready Range Oil Burner, Models Leader, Standard and De Luxe.

313-34-SA—General Electric Oil Screen Valve (Anti-Syphon Type), Model CR-7860-E1A.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 27, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 215-34-BZ—Application, July 23, 1934, under section 21 of the building zone resolution, of Leonard J. Tompkins, applicant, on behalf of Jamaica Savings Banks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises southwest corner of Merrick road and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

CAL. NO. 191-34-BZ—Application, June 28, 1934, under section 21 of the building zone resolution, of Croker Fire Prevention Corporation, applicant, on behalf of The Hermitage Corp., owner, to permit partly in a business district and partly in a residence district the use of a plot of ground as a parking space for more than five motor vehicles; premises 2087 Boston road, west side, 100 ft. south of east 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx.

CAL. NO. 592-24-BZ—Application of Harry L. Alper, applicant, on behalf of Fannie Blumberg, present owner, reopened November 13, 1934, under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage for more than five motor vehicles, previously granted by the board, so as to permit the inclusion of a gasoline service station; premises 240-250 Empire boulevard, southwest corner of Rogers avenue (Block No. 1314, Lot No. 44), Borough of Brooklyn.

CAL. NO. 339-33-BZ—Application of Samuels and Samuels, for Otnas Realty, Inc., owner, reopened July 17, 1934, under section 21

CALENDAR

of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously withdrawn); premises 14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

CAL. NO. 242-34-BZ—Application, August 17, 1934, under section 21 of the building zone resolution, of John Pross, applicant, on behalf of Jalccc Realty Corp., owner, to permit in a business district the change of occupancy of an existing building to a garage for more than five motor vehicles; premises 787-795 Empire boulevard, north side, 260 ft. east of Troy avenue (Block No. 1423, Lot Nos. 41-43), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 3, 1934, AT 2 P. M.

Building Zone Cases.

254-34-BZ.

APPLICANT—A. P. Sorice, Jr., for Mildred Gerrato, owner.

PREMISES—South side of 91st avenue, 179 ft. west of 169th street (Block No. 885, Lot No. 39), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the extension of an existing garage for more than five motor vehicles.

253-34-BZ.

APPLICANT—William Shary, for S.P.R. Realty Corp., owner.

PREMISES—West side of Westchester avenue from Doris street to Glover street (Block No. 3965, Lot Nos. 35 to 40), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

287-34-BZ.

APPLICANT—Howard Kelly, for Mutual Life Insurance Co., owner.

PREMISES—1401-1409 College avenue, northwest corner of East 170th street (Block No. 2786, part of Lot Nos. 2 and 29), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

290-34-BZ.

APPLICANT—Levy & Berger, for 291 Greenwich Street Corp., owner.

PREMISES—1611-1619 Eastern boulevard (Ludlow avenue), northwest corner of Morrison avenue (Block No. 3718, Lot No. 1), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

292-34-BZ.

APPLICANT—John Palmeri, owner.

PREMISES—147-02 to 147-12 90th avenue, southeast corner of Sutphin boulevard (Block No. 780, Lot No. 16), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

DECEMBER 4, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 4, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 262-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of James Whitford, applicant, on behalf of Oscar A. Johnsen, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1111 Forest avenue, northwest corner of Greenleaf avenue (Block No. 235, part of Lot No. 47), West New Brighton, Borough of Richmond.

CAL. NO. 268-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Herman M. Seldin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

CAL. NO. 118-30-BZ—Application, February 14, 1930, under section 21 of the building zone resolution; denied July 1, 1930; reopened September 11, 1934, under section 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Sadye Hydecker, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2700-2706 Eastchester road and 1501-1509 Allerton avenue, northeast corner (Block No. 4534, Lot No. 12), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 4, 1934, 2 P. M.

Appeals from Administrative Orders.

265-34-A—151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Lot No. 61), Brooklyn.

298-34-A—251-253-255 Bowery (Block No. 427, Lot No. 4), Manhattan.

216-34-A—52-64 Warren street (Block No. 303, Lot No. 1), Brooklyn.

CALENDAR

245-34-A—West side of Vernon boulevard, 90 ft. north of 43d avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

Petition for Variation.

295-34-S—44-46 Crown street (front) and 42-48 Crown street (rear) (Block No. 1190, Lot No. 30), Brooklyn.

Appliances Submitted for Approval.

321-34-SA—Shawmut "Junior" Range Burner.

322-34-SA—Shawmut "DeLuxe" Range Burner.

323-34-SA—Hi-Heat Range Burner, Models A and DeLuxe.

325-34-SA—Diamond Range Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 4, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 207-34-BZ—Application, July 12, 1934, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Anna Shattan, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 97 Steuben street, northeast corner of Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

CAL. NO. 195-34-BZ—Application, July 2, 1934, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Hattie M. Marks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

CAL. NO. 261-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of Wood & Marshall, applicants, on behalf of Samuel H. Baylis and Sheldon F. Baylis, owners, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles; premises 93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

CAL. NO. 272-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Benjamin Millstein, applicant, on behalf of John J. Tully, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner

(Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); (restored to calendar October 23, 1934); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 10, 1934, AT 2 P. M.

Building Zone Cases.

264-34-BZ.

APPLICANT—William C. Goodson, for Bartholdi Turecamo, owner.

PREMISES—8412 Ridge boulevard (Block No. 6023, Lot No. 39), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "F" area district the erection and maintenance of a private garage within fifteen (15) feet of the building line.

231-34-BZ.

APPLICANT—Samuel M. Rivelson, for Constantinos Demetroukas, Inc., owner.

PREMISES—9402-9404 Church avenue, southeast corner of East 94th street (Block No. 4715, Lot No. 36), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

297-34-BZ.

APPLICANT—Jack Fein, for Enmor Realty Corporation, owner.

PREMISES—2705-2715 Nostrand avenue, east side, 360 ft. north of Avenue N (Block No. 7666, Lot No. 25), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

320-34-BZ.

APPLICANT—Allmendinger & Schlendorf, for Werst Realty Co., owner.

PREMISES—71-39 to 71-49 Cooper avenue and 71-54 to 71-66 72nd street, northwest corner (Block No. 3688, Lot No. 38), Glendale, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the change of occupancy of an existing building to a business use (funeral home).

816-24-BZ.

APPLICANT—Eugene De Rosa, for National Council of Congregational Churches, owner.

CALENDAR

PREMISES—799-805 Washington avenue, southeast corner of Lincoln place (Block No. 1180, Lot No. 6), Borough of Brooklyn.

APPLICATION, under sections 7a and 7c of the building zone resolution (reopened July 17, 1934),

TO PERMIT in a residence district, the alteration, extension and change of occupancy of a building now occupied as a public market and stores (granted by the board October 3, 1924) to its original occupancy of motion picture theatre and stores.

DECEMBER 11, 1934, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday morning, December 11, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 354-32-BZ—Application of Samuel Oliphant, on behalf of Charles A. McKeon, lessee, reopened November 20, 1934, under section 21 of the building zone resolution, for consideration of extension of permit—re Application, granted on certain conditions, permitting in a business district the maintenance of parking space for more than five (5) motor vehicles; premises 598 Flatbush avenue, west side, 176 ft. 7¼ in. north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 20, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, November 13, 1934, were approved as printed in Bulletin No. 47, Vol. XIX.

BUILDING ZONE CASES.

195-34-BZ.

APPLICANT—William F. Regan, for Hattie M. Marks, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas O'Rourke Gallagher.

For Opposition: None.

ACTION OF BOARD—Laid over to December 4, 1934, at 2 p. m., upon request of applicant's representative.

339-33-BZ.

APPLICANT—Samuels and Samuels, for Otnas Realty, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened July 17, 1934).

PREMISES AFFECTED—14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: David Groberg and Jabez E. Dunningham.

ACTION OF BOARD—Laid over to November 27, 1934, at 2 p. m., for report of committee on inspection. No further argument.

242-34-BZ.

APPLICANT—John Pross, for Jalccc Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a garage for more than five motor vehicles.

PREMISES AFFECTED—787-795 Empire boulevard, north side, 260 ft. east of Troy avenue (Block No. 1423, Lot Nos. 41-43), Borough of Brooklyn.

APPEARANCES—

For Applicant: I. B. Leibson and John Pross.

For Opposition: Morris C. Wolfe, Jacob Bernstein, Ben. Essen and Oscar Kavel.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Laid over to November 27, 1934, at 2 p. m., for report of committee on inspection. No further argument.

261-34-BZ.

APPLICANT—Wood & Marshall, for Samuel H. Baylis and Sheldon F. Baylis, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles.

PREMISES AFFECTED—93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Clifford B. Marshall, Samuel H. Baylis and A. Bladen Mitchell.

For Opposition: None.

ACTION OF BOARD—Laid over to December 4, 1934, at 2 p. m., for report of committee on inspection. No further argument.

272-34-BZ.

APPLICANT—Benjamin Millstein, for John J. Tully, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone

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resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin Millstein, John J. Tully, Irving Margon and Thomas J. Tully.

For Opposition: Lew F. Walters, Francis X. Nicastro and Frederick C. Thomson.

ACTION OF BOARD—Laid over to December 4, 1934, at 2 p. m., for report of committee on inspection. No further argument.

Adjourned, 1:30 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 20, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

378-33-BZ.

APPLICANT—Rubinstein & Rosling, for Kings Brewery, Inc., owner.

SUBJECT—Application (re decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building). (Restored to calendar October 23, 1934.)

PREMISES AFFECTED—225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Rosling.

For Opposition: None.

ACTION OF BOARD—Laid over to December 4, 1934, at 2 p. m., for report of committee on inspection. No further argument.

354-32-BZ.

APPLICANT—Samuel Oliphant, for Charles McKeon, lessee.

SUBJECT—Application for reopening—extension of permit—re (granted) Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the maintenance of parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—598 Flatbush avenue, west side, 176 ft. 7¼ in. north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Oliphant.

ACTION OF BOARD—Application reopened after an inspection by a committee of the board, calendar call waived and set for hearing on December 11, 1934, at 10 a. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

26-32-BZ.

APPLICANT—Louis Schlefer, for Minnie Streit, present owner.

SUBJECT—Request for reopening—restoration to calendar, previously denied—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1551-1555 Coney Island avenue, east side, 100 ft. south of Avenue L (Block No. 6731, Lot No. 90), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward Goodell.

For Opposition: Henry Scheibel.

ACTION OF BOARD—Request to reopen, denied after an inspection by a committee of the board.

THE VOTE TO REOPEN—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Absent 0

604-31-BZ.

APPLICANT—Hudson Realty Co., Inc., owner.

SUBJECT—Request for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 7-F of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Main street and Nassau boulevard (Block No. 2104, Lot No. 25), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Marion Lange.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Absent 0

340-23-BZ.

APPLICANT—Clarence F. Kaltenbach, present owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—888-898 Jamaica avenue, southwest corner of Autumn avenue (Block No. 4107, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Clarence F. Kaltenbach.

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ACTION OF BOARD—Application reopened after an inspection by a committee of the board and subject to usual procedure of calendar call, etc.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

109-34-BZ.

APPLICANT—Jacob Lubroth, for Louis Greenstein, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—Southwest corner of Myrtle avenue and Cypress Hills street (Old Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Lubroth.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(109-34-BZ)

WHEREAS, Jacob Lubroth, for Louis Greenstein, owner, filed April 21, 1934, an application under the building zone resolution to permit in a business district the extension of an existing gasoline station and also the erection and maintenance of a motor vehicle repair shop; premises: Southwest corner of Myrtle avenue and Cypress Hills street (Old Fresh Pond road); (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 20, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Myrtle avenue is in a residence and business district, Cypress Hills street (Old Fresh Pond road) is in a residence and business district and 74th avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 6, 1934, re Plan No. 1697, reads:

"1. The extension of a gasoline service station within a district is contrary to article 2, section 4 of zoning law.

"2. The change in use of a two-car garage to an auto repair shop in a business district is contrary to article 2, section 4 of the zone law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 125 ft. on Cypress Hills street, 52 ft. on Myrtle avenue and a distance of 100 ft. along the west lot line. The east (triangular) portion of the plot is occupied as a gasoline station which (according to filed plans) consisted of three 550 gal. tanks and four pumps. Three structures consisting of a one-story accessory building, a one-story metal building and a three-story frame building were demolished. Subsequently a one-story brick structure 77 ft. by 23 ft. 6 in. in area was erected. It is proposed to use this structure as a motor

vehicle repair shop, grease pits and office. Also, it is proposed to install four additional pumps and to use the entire plot (exclusive of the existing brick building) as a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 109-34-BZ.

Premises: Southwest corner Myrtle avenue and Cypress Hills street (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

This application is for a zoning variation under section 21, for an extension of area of a gasoline station which was apparently established in 1920 at which time according to plans on file with the Fire Department, selling station was established on what is now known as Cypress Hills street, then known as Kosuth place, later as Cypress Hills road and as Old Fresh Pond road. In 1928, additional pumps and tanks were installed according to plans on file with the frontage only on Cypress Hills street. On both these plans the adjoining 50 ft. frontage on Myrtle avenue is shown as occupied by a building occupied as dwellings and stores.

Through a confusion as to street names, plans were approved by the commissioner of buildings for an extension of the gasoline station plot and erection of a new building. When it was discovered that the plot was at Old Fresh Pond road or Cypress Hills street (in a business district) instead of Fresh Pond road, three blocks further west in an unrestricted district, the permit was revoked.

Issuance of permit for selling of gasoline clearly indicates that this use has existed continuously since 1920 but limited to the Cypress Hills street frontage. Permits for a repair shop apparently starting in 1924 and continuing to 1934 were of questionable legality and covered such use in a rear building which has been demolished.

Several violations are pending for the illegal extension of the gasoline station and for maintenance of a repair shop. Fire Department permit issued May 28, 1934, for this repair shop, should not be renewed upon its expiration on November 26, 1934.

A committee of the board inspected the site prior to the hearing on October 30, 1934, and again on November 8th. In their opinion, the demolition of the old frame building and the old repair shop has tended to improve conditions but they see no justification for changing the conforming use on the fifty foot frontage on Myrtle avenue and extending the station to the peril of pedestrians at this important intersection. Provided this frontage is used as zoned for business use or closed off with a wall (and curb cut removed), the committee recommends that the application be granted on the above conditions and also that no repairing be carried on, that suitable brick walls be constructed on the interior lot line to the south and provided the entire plot is cement paved, the pumps kept back at least 10 ft. from the building line of Cypress Hills street and all buildings and frame sign structures removed other than the newly erected one-story building which is to be used as office, car greasing and washing and also permitting the parking of not over 10 cars.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the granting of this application and the board deemed that the applicant had

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substantiated his basis of appeal under section 21 of the building zone resolution—hardship, and was, therefore, entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution under section 21, and that the application be and it hereby is *granted*, permitting the extension of an existing gasoline station to occupy the area, as indicated on plans filed with this appeal, marked "received August 6, 1934", *on condition* that all buildings and sign structures shall be removed from the premises except the recently constructed one-story accessory building and permitting the plot to be used as a gasoline station and for parking of cars, with entrances limited to the frontage along Cypress Hills street, as at present used; that there shall be erected along Myrtle avenue for the total frontage of 52 ft., a brick wall not less than 6 ft. in height, or in lieu of such wall there shall be erected on the Myrtle avenue frontage for the full length of 52 ft. a building devoted to conforming business uses only for a depth of not less than 25 ft.; that on the interior lot lines from Myrtle avenue southerly and thence generally easterly to the building line of Cypress Hills street there shall be erected a brick wall suitably coped and not less than 7 ft. in height, except that this wall may be omitted where there are existing brick walls of adjacent or accessory buildings; that the entire plot, where not occupied by walls and existing one-story accessory buildings, shall be cement paved; that the gasoline pumps shall be limited to six pumps, as indicated, facing Cypress Hills street and located not nearer than 10 ft. from the Cypress Hills street building line; that the existing one-story accessory building shall be limited to use as office, sales of automobile accessories and for greasing and washing of automobiles; that the number of cars permitted to be parked on the premises other than those being serviced shall not exceed 10; that the brick wall along Myrtle avenue shall be constructed of face brick in general agreement with the face brick of the adjoining building; that the existing curb cut on Myrtle avenue shall be removed and the curb restored; that no additional curb cuts shall be installed on Cypress Hills street other than those now existing; that no automobile repairing shall be permitted on the premises; that advertising shall be limited to the illuminated globes of the gasoline pumps and to a permanent flat sign attached to the facade of the accessory building excluding all temporary signs; that lights for illumination shall be on pipe standards with metallic reflectors arranged to reflect downwardly; that no portable gasoline pump shall be used on or from the premises; that all permits shall be obtained within two months and all work completed within six months from the date of this action.

230-34-BZ.

APPLICANT—Martin J. Ort, for William F. Clark, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the maintenance of an existing motor vehicle repair shop.

PREMISES AFFECTED—303-305 4th avenue, southeast corner of 2nd street (Block No. 974, part of Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Martin J. Ort and A. C. Lenhart.
For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(230-34-BZ)

WHEREAS, Martin J. Ort, for William F. Clark, owner, filed August 9, 1934, an application under the building zone resolution to permit in a business district the maintenance of an existing (illegal) motor vehicle repair shop; premises: 303-305 4th avenue, southeast corner of 2nd street (Block No. 974, part of Lot No. 6), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 20, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 4th avenue is in a business, residence and unrestricted district, 2nd street is in a business district and 3rd street is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered July 26, 1934, re Applic. No. 9249-1934, reads:

"Proposed motor vehicle repair shop is in a business district and contrary to building zone resolution.

Article 2, section 4(a)29 and is therefore denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 95 ft. on 4th avenue and 106 ft. on 2nd street; the east part of the plot is occupied by a one-story non-fireproof factory building approximately 30 ft. by 95 ft. in area; the southwest part of the plot is occupied by a one and two-story factory building having a frontage of approximately 51 ft. on 4th avenue and a depth of approximately 76 ft. On the northwest corner of the plot there is located a one-story brick structure (separated into two sections by a brick wall with an opening therein) having a frontage of 44 ft. on 4th avenue and 25 ft. on 2nd street; it is proposed to use this building as a motor vehicle repair shop; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, which inspection was made on November 8, 1934, and verbal report submitted by the chairman on behalf of the committee; and

WHEREAS, the board deemed that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution—temporary hardship, and was, therefore, entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution under section 21, and that the application be and it hereby is *granted* for a period of two years from the date of this action, permitting the existing building to be used for a motor vehicle repair shop *on condition* that there shall be not more than two (2) cars under repair at any one time; that the repairing shall be limited to the repairing of gear teeth; that the ceilings throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the use of one acetylene cutting and welding equipment and the use of an electric welder be permitted, provided the operator thereof obtains and holds a certificate of fitness; that the buildings shall not be increased in height or area; that all inflammable material shall be removed from these buildings and away from the rear walls thereof for a distance of at least 5 ft.; that all gasoline shall be removed from the cars undergoing repair and the gasoline so removed stored in safety cans in the open air outside of the building.

227-20-BZ.

APPLICANT—Samuel Rosenblum, for Goble Jerome Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings under sections 7-c and 21 of the

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building zone resolution, to permit in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles to be used in part for a gasoline service station (reopened September 18, 1934).

PREMISES AFFECTED—1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(227-20-BZ)

WHEREAS, this application affecting premises 1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx, was granted by the board, May 11, 1920, under sections 7-c and 21, permitting in a business and unrestricted use district the erection of a garage for the storage of more than 5 motor vehicles; and

WHEREAS, the owner through his representative, Samuel Rosenblum, requested an amendment of the resolution to permit the installation of a gasoline station on the Jerome avenue-Goble place fronts of this building with a frontage of 98 ft. 9 in. on Jerome avenue and 26 ft. on Goble place by the setting back of the front wall; and

WHEREAS, the decision of commissioner of buildings, dated August 28, 1934, re Applic. Alt. 321-34, reads:

“Proposed alteration and conversion of existing public garage for the storage of more than five motor vehicles located partly in a business district and partly in an unrestricted district to be used in part as a gasoline service station is contrary to provisions of building zone resolution.”

and

WHEREAS, the building is non-fireproof, one story in height, 98 ft. 9 in. by 140 ft. in area, now occupied as a garage for more than 5 motor vehicles. It is proposed to add a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, which inspection was made on November 8, 1934, and verbal report submitted by the chairman on behalf of the committee; and

WHEREAS, this report recommended the granting of the application and the board deemed that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution—hardship, and was, therefore, entitled to relief.

Resolved, that the resolution adopted by the Board on May 11, 1920, be and it hereby is amended, by adding the following:

“That the southerly portion of the garage building may be reconstructed as indicated on plans filed marked ‘received September 8, 1934’, to permit the installation of a gasoline selling alcove on condition that there shall be constructed parallel to Jerome avenue and at least 26 ft. therefrom a brick wall faced with face brick to agree with the balance of the building and for the full height thereof; that all windows in this wall shall be fireproof with metal frames and glazed with wire glass; that there shall not exceed two doors, as indicated; that the entire gasoline selling alcove shall be cement paved; that there shall be no open excavation under this alcove; that gasoline pumps erected shall be not nearer than 10 ft. from the

street building line or nearer than 10 ft. to the garage front wall; that the entire length of this gasoline station shall not exceed 97 ft.; that the curb cuts shall not exceed those in existence, nor in any event exceed two (2) from Jerome avenue and one from Goble place with a width not exceeding 25 ft. each; that there shall be no portable gasoline pumps used on or from the premises in which this gasoline selling alcove is permitted; that there shall be no automobile repairing permitted on the premises; that all advertising shall be limited to the illuminated globes of the gasoline pumps and to a permanent sign attached to the face of the building; that no gasoline shall be dispensed within this section of the garage building; that all permits shall be obtained within six (6) months and all work completed within one (1) year from the date of this action.”

211-34-BZ.

APPLICANT—Abraham M. Bakerman, for Rebecca Bakerman and Sadie Cooper, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham M. Bakerman.

For Opposition: James O'Connor.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners	
Savage and Blum and Assistant Chief	
Kidney	4
Absent	0

THE RESOLUTION—

(211-34-BZ)

WHEREAS, Abraham M. Bakerman, for Abraham M. Bakerman, Rebecca Bakerman & Sadie Cooper, owners, filed July 19, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Northeast corner of Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 20, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Baychester avenue is in a business and unrestricted district, Camp street is in a business and residence district, East 241st street is in a business and residence district and Wilder avenue is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 29, 1934, re: N.B. Applic. 112-34, reads:

“1. Proposed gasoline service station in a business district is contrary to section 4 of article II of the amended building zone resolution.”

and

WHEREAS, The premises consist of a plot of ground having a frontage of 75 ft. on Baychester avenue and 75 ft. on Camp street, upon which it is proposed to erect a one-story office structure 12 ft. by 20 ft. in area, grease pits and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing; and which report follows:

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REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 211-34-BZ.

Premises—Northeast corner Baychester avenue and Camp street (Block No. 5095, Lot No. 76), Borough of The Bronx.

A committee of the board inspected the site under appeal on November 8, 1934. The premises are the northeast corner of Baychester avenue and Camp street, with 75 ft. frontage on each street, and a zoning variance is desired to permit this to be used as a gasoline station. The area along Baychester avenue is generally zoned for business and the adjoining section to the north is zoned for residence use and is well built up with single family houses. Across Baychester avenue is an unrestricted district in which are located the railroad yards of the Interborough Rapid Transit. Adjoining this plot is a one-story store building which does not appear to be well rented, although it would appear that this group of stores and two other groups to the northwest should be well rented in view of the population housed in the immediate vicinity. It may be, however, that a good deal of the neighborhood business is done with stores on White Plains road nearby. Southerly, the frontage on Baychester avenue for some distance is generally vacant and there exists as much justification, if not more, for gas stations along this frontage than at the corner under appeal. There are several gasoline stations in the vicinity, so that there is no difficulty in obtaining gasoline supply.

The applicant very frankly states that he desires the zoning variance because he has a tenant for a gas station which will help carry the property. Having carried the property vacant since its purchase about eight years ago, any income that will pay the carrying charges would be welcome; but, again, the committee is of the opinion that to grant this appeal would be to establish an undesirable precedent for the erection of other gas stations along Baychester avenue, which is a fine, wide thoroughfare that should be developed with conforming uses.

The local taxpayers association and such owners as have expressed themselves on this application are in opposition and the committee recommends that in the interest of the neighborhood development this gasoline station should not be granted.

The sloping condition of Camp street and of the lot itself away from Baychester avenue is a further reason for the committee's recommendation.

Applications of this type where property is held for speculation or investment and where the owners ordinarily would not feel oppressed with the carrying charges are frequently being filed, but the committee is of the opinion that in such applications the board should be guided by the recent decision of the Appellate Division, Second Department, in the matter of N. Y. & Richmond Gas Co. vs. Connell, etc., in which the Court said:

"Present economic conditions, which are practically universal, do not justify a nullification of the zoning laws where the showing is that if nullified by permitting such nonconforming uses as here proposed, the owner can obtain a better return than by a compliance with the zoning law."

This application seems to fall clearly within this classification. In normal times, this property would undoubtedly be readily developed. A gas station is not needed at this point and would tend to depreciate rather than improve local conditions.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

214-34-BZ.

APPLICANT—Benjamin N. Brody, for Peter Schwartz, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a junk shop.

PREMISES AFFECTED—412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin N. Brody.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner's Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(214-34-BZ)

WHEREAS, Benjamin N. Brody, for Peter Schwartz, owner, filed July 23, 1934, an application under the building zone resolution to permit in a business district the change of occupancy of an existing building to a junk shop; premises: 412-414 Manhattan avenue, southeast corner of Richardson street (Block No. 2734, Lot No. 7), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 20, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Manhattan avenue is in a business and unrestricted district, Richardson street is in a business and unrestricted district, Meeker avenue is in a business district and Frost street is in a business and unrestricted district; and

WHEREAS, the decision of the commissioner of buildings, rendered July 2, 1934, re App. No. 7320-1934, reads:

"The following objections have been filed by the examiners: No record in this bureau of occupancy for bottle storage. Proposed change of occupancy to junk shop in a business district contrary to building zone resolution, article 11 4(a) 20.

"Proposition is therefore denied."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 45 ft. on Manhattan avenue and 60 ft. on Richardson street; occupied as a warehouse; it is proposed to occupy the premises as a junk shop on first story and for storage of bottles in the cellar; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board on November 8, 1934, which inspection was made, and verbal report submitted by the chairman in behalf of the committee; and

WHEREAS, this report recommended the granting of this application and the board deemed that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution—temporary hardship, and was, therefore, entitled to relief.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 for a period of two years from the date of this action, permitting the premises under appeal to be used for the storage of second-hand bottles in the basement and second-hand metals on the first floor on condition that the floor beams shall be strengthened as may be required by the commissioner of buildings for the load they will be called upon to carry; that the building shall be not increased in height or area and that no additional signs shall be attached to the building now in existence.

49-34-BZ.

APPLICANT—H. I. Feldman, for David Nussdorf, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 7a of the building zone resolution, to permit in a residence district the alteration and extension of an existing building used in part for business use.

PREMISES AFFECTED—550-554 Bedford avenue, northwest corner of Ross street (Block No. 2181, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Isidore Nussdorf.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(49-34-BZ)

WHEREAS, this application affecting premises 550-554 Bedford avenue, northwest corner of Ross street (Block No. 2181, Lot No. 33), Borough of Brooklyn, was granted by the board May 22, 1934, on certain conditions, and applicant requested an extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 22, 1934, in view of statement by the owner that all permits have been obtained, to extend the time within which to complete all work to one year from the date of this amended resolution and that other than as herein amended, the resolution adopted by the board on May 22, 1934, shall be complied with in all respects.

8-34-BZ.

APPLICANT—Kennedy & Ellner, for Wardell Holding Corporation, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Clarence Leventhal.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(8-34-BZ)

WHEREAS, this application affecting premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens, was granted by the board April 24, 1934, on certain conditions, and applicant requested an extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 24, 1934, extending the time within which to obtain permits, four months and the time within which to complete the work, eight months from the date of this amended resolution and that other than as herein amended, the resolution adopted by the board on April 24, 1934, shall be complied with in all respects.

APPEALS FROM ADMINISTRATIVE ORDERS.

265-34-A.

APPELLANT—Joseph T. Hammer, for Walter B. Cooke, Inc., lessee.

SUBJECT—Appeal from a decision of the board of buildings.

PREMISES AFFECTED—151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Lot No. 61), Borough of Brooklyn.

APPEARANCES—

For Appellant: Joseph Singer, Joseph T. Hammer and Charles E. Rudolph.

For Administration: None.

ACTION OF BOARD—Laid over to December 4, 1934, at 2 p. m., for an inspection by a committee of the board.

298-34-A.

APPELLANT—Choate, Larocque & Mitchell, for Nathaniel H. Lyons, neighboring property owner against No. 251 Realty Corporation, owner of premises affected.

SUBJECT—Appeal from a decision of the Board of Buildings refusing to revoke a prior action of the Board of Buildings.

PREMISES AFFECTED—251-253-255 Bowery (Block No. 427, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Appellant: Edward G. McLaughlin and Max Siegel.

For Owner of Premises: Jacob Fisher.

For Administration: Leo McDermott, Board of Buildings; Assistant Engineer Samuel Becker of Department of Buildings.

ACTION OF BOARD—Laid over to December 4, 1934, at 2 p. m., upon request of representative of the Department of Buildings.

63-34-A.

APPELLANT—Walter C. Martin, for Board of Education for City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

MINUTES

PREMISES AFFECTED—14 Lexington avenue, northwest corner of East 22nd street (Block No. 878, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Appellant: Charles Tilgner.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Appeal withdrawn to comply. THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

282-34-A.

APPELLANT—Victor Mayper, for P. Lorillard Company, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—1334-1352 York avenue, 501-509 East 71st street and 500-508 East 72nd street (Block No. 1483, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Appellant: None.

For Administration: None.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

62-28-A.

APPELLANT—William C. McTarnahan, for Petroleum Heat & Power Co., Inc., owner.

SUBJECT—Application for reopening—extension of time—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—East side of Eastchester Creek and Northern Boundary Line (Block No. 5655, Lot Nos. 375, 382 and 400), Borough of The Bronx.

APPEARANCES—

For Appellant: John T. McTarnahan.

For Administration: None.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(62-28-A)

WHEREAS, the appeal affecting premises east side of Eastchester Creek and Northern Boundary Line (Block No. 5655, Lot Nos. 375, 382 and 400), Borough of The Bronx, was granted by the board at its meeting, June 12, 1928, on certain conditions, time extended from time to time, and appellant now requests a further extension of the time limit imposed.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of June 12, 1928, extending the

time within which to obtain permits, six months and the time within which to complete the work, one year from the date of this amended resolution and that other than as herein amended, the resolution adopted by the board June 12, 1928, shall be complied with in all respects.

MATERIAL SUBMITTED FOR APPROVAL.

301-34-SM.

PETITIONER—B. Radler, for Flame & Waterproofing Process Co., owner.

SUBJECT—"Radbur" Flameproofing Compound, approval of.

APPEARANCES—

For Petitioner: H. H. Burt and Abraham Seiden.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

APPLIANCES SUBMITTED FOR APPROVAL.

302-34-SA.

PETITIONER—Loyalty Oil Burner, owner. Mr. Carol F. Baron, agent.

SUBJECT—Loyalty Range Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

308-34-SA.

PETITIONER—Wm. V. McDevitt, for Associated Oil Burner Co., owner.

SUBJECT—"Blue Glow" Range Oil Burner, Models Supreme and DeLuxe, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

309-34-SA.

PETITIONER—Hupp Oil Burner Company, owner.

SUBJECT—Hupp Range Oil Burner, Models S.D. and C.D., approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

259-25-SA.

PETITIONER—The Brooklyn Electrol Corp. for The Electrol Incorporated, owner.

SUBJECT—Electrol Automatic Oil Burner, application for reopening—amendment to include approval of Models "C" and "EA".

APPEARANCES—

For Petitioner: J. J. Morro.

ACTION OF BOARD—Petition reopened, placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

Adjourned, 4:20 p. m.

EDWARD V. BARTON, Chief Clerk.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, sub-division 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1.

Application

These rules shall apply to every establishment engaged in applying, by the spray method, paints, varnishes, enamels, lacquers, stains or similar flammable materials in excess of two quarts a day on manufactured or fabricated articles.

Rule 2.

Definitions

1. The term "spray booth" shall include the following:

- (a) "Cabinet booth" shall mean a compartment, provided with a back, top and two sides, equipped with air exhaust facilities, located within a room or section of an establishment, and in which spray coating is carried on.
- (b) "Canopy booth" shall mean an installation consisting of an overhead exhaust system, of the canopy type, without side or end panels enclosing the object sprayed, and under which canopy spray coating operations are carried on.
- (c) "Tunnel booth" shall mean a compartment consisting of two sides and top, equipped with air exhaust facilities and in which spray coating is carried on.

2. The term "spray room" shall mean a fully enclosed room within the exterior walls, or the area between fire walls. This definition shall not include a room equipped with spray booths wherein all the spray coating operations are carried on within the booths.

3. Fireproof or fire-resisting partitions shall be constructed as required by the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings to be equipped with self-closing, fireproof doors.

Rule 3.

Ventilation

- (a) No spray coating of manufactured or fabricated articles shall be carried on in any part of an establishment except in spray booths or in spray rooms, as defined above.
- (b) Cabinet booths shall be equipped with an air exhaust system which will provide an air velocity of not less than one hundred (100) lineal feet per minute averaged over the frontal area of the spray booth.
- (c) Spray rooms shall be equipped with an air exhaust which will provide not less than sixty (60) changes of air per hour in the spray room.
- (d) All types of spray rooms and booths shall be equipped with an air exhaust system of sufficient capacity to prevent the accumulation of mist or vapors within such enclosures.

- (e) Air shall be admitted to the spray booth or spray room in an amount substantially equal to the capacity of the fan or fans used for exhausting air from said booth or room; windows or other openings not used for ventilation shall be kept closed during the process of spray coating. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.

Rule 4.

Specifications for Spray Booths and Spray Rooms

- (a) Spray booths shall be constructed of metal or other incombustible material satisfactory to the administrative official.
- (b) Air distributing or baffle plates, if used, shall be of incombustible material and removable for cleaning.
- (c) The inner side of walls, ceilings and floor shall be as smooth as practicable, in order to facilitate cleaning; when constructed of ferrous metal such surfaces, inside the booth or room, shall be thoroughly painted or galvanized.
- (d) Exhaust ducts for spray booths or spray rooms shall be constructed of material not less than the following U. S. Standard gauges, viz.:
When of diameter of 24 inches or less, 22 gauge.
When of diameter of over 24 inches and not over 36 inches, 20 gauge.
When of diameter of over 36 inches, 18 gauge.
- (e) Ducts shall be strongly erected and rigidly supported.
- (f) Motors shall be located outside of ducts, booths or spray rooms so that no inflammable vapors or residues can reach them.
- (g) If induced draft is used to create an air movement within cabinet or tunnel types of spray booths or spray rooms, the air shall be supplied from a point outside of the spray booth or spray room with fans and motors entirely outside of the spray booth or spray room.
- (h) The exhaust system for the removal of vapors or residues of spraying materials from the spraying equipment shall not be connected with any other ventilating system or discharged into a chimney or flue used for the purpose of conveying gases from heating elements.
Ventilating ducts shall run as directly as practical to the outer air and be protected with a hood. When not terminating above the roof the exhaust terminal in addition shall be protected with a fire screen of copper or bronze with a mesh not larger than $\frac{1}{2}$ inch. When passing through a non-fireproof roof the duct shall be constructed double with a 1-inch air space. The outer pipe shall be not less than 2 inches from any woodwork which shall be covered with metal. Ventilating ducts terminals shall be not less than 15 feet from any window opening, exterior exit, chimney termination or unprotected air intake, unless exhausting on the front of a building or where there are openings in a direct line less than 30 feet from any opening in any other building.
- (i) Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of current supply, using metallic conduit. Rheostats in fan bases not permitted.

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- (j) All electrical wiring shall be enclosed in metal conduits.
- (k) Artificial lighting shall be by electricity only. Fixtures to be of the rigid stem type, enclosing all wiring and equipped with vaporproof globes and keyless sockets.
- (l) No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray rooms or within 10 feet from any spray compartment or spray booth unless such electrical equipment is of a type approved for use in explosive atmospheres. Motors located within 10 feet of a spray booth may be of the standard totally enclosed type, or of the open induction type, having no brushes, make and break contact, collectors or other arcing or sparking parts.

All flame or spark producing machinery within a floor area, wherein spray coating is carried on shall be discontinued or enclosed by partitions constructed fireproof or fire-resisting. This rule shall not exclude the use of the indirect type of bake ovens, provided the flame compartment is separately enclosed, taking air from outside of the room wherein spray coating is carried on and where adequate ventilation can be provided.

- (m) All electrical equipment shall be installed and grounded as provided by the National Electrical Code (Art. 32) and permanently connected to their source of current supply, using metallic conduit. No receptacle pin plugs permitted.
- (n) Artificial heating shall be limited to the use of steam or hot water circulating system or hot air systems satisfactory to the administrative official.

Rule 5.

Maintenance and Fire Protection

- (a) The plant superintendent, foreman or other person in charge of spray booth or booths, storage of spraying materials, exhaust system, etc., shall secure a certificate of fitness from the administrative official.

This person shall properly instruct all employees as to the hazards of their work and advise as to their responsibility for cooperation in complying with these rules. Every employee shall be responsible for all rules or parts of rules which immediately concern or affect his conduct or the safety of himself or others.
- (b) No motor vehicles shall be taken in or out of a spray booth or spray room under its own power.
- (c) All exhaust fans shall be inspected at least once each week; defects shall be repaired at once or operation of fan discontinued until properly repaired.
- (d) Spray rooms, booths, fans, ducts and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- (e) Brooms, brushes or other cleaning implements made of ferrous metals shall not be used in order to avoid sparks.
- (f) Accumulation of waste, sweepings or deposits from cleaning spray rooms, booths, etc., waste paper, taping or other inflammable refuse is prohibited. All such refuse shall be placed in metal receptacles with proper self-closing covers. The contents of such cans shall be removed from the building at the close of work each day.
- (g) No person shall smoke or carry a lighted cigar, cigarette, pipe or match within any room, enclosed space, cellar, basement or any part of any premises in which highly combustible or inflammable material is maintained, stored or kept for use or sale (Extract from Section 27, Chapter 12 of the Code of Ordinances).

- (h) Every spray room or spray booth shall be equipped with approved fire extinguishing appliances suitable for paint and lacquer fires. At least one standard sand pail shall be provided for each 100 square feet of booth area or area of spray room or extinguishers of the soda-acid, foam, CO-2, or other approved type may be provided, one for each 300 square feet of booth or spray room area. Where the spraying hazard is extensive, mounted type of extinguishers shall be provided as may be required by the administrative official.
- (i) The interior of all booths installed in sprinklered buildings shall be provided with sprinkler heads supplied from an approved source of supply.

Rule 6.

Storage and Mixing

- (a) Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
- (b) Spraying materials not in excess of 20 gallons shall be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.
- (c) Spraying materials in excess of 20 gallons and not exceeding 40 gallons shall be stored in double-walled metal cabinets vented directly to the outer air.
- (d) Spraying materials in excess of 40 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. Storage rooms shall be located at exterior wall window opening, window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- (e) In sprinklered buildings all storage rooms shall be provided with an automatic sprinkler head for each 80 square feet of floor area.
- (f) Storage rooms shall be sprinklered in non-sprinklered buildings and supplied from house supply tanks or house lines, as described in Rule 53 of the Sprinkler Rules.
- (g) The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official.
- (h) Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- (i) Supplies sufficient for not more than one day's work but not exceeding twenty gallons in total to each booth, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in Subdivision k of Rule 6.
- (j) Gravity feed material containers for supplying

RULES

- spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- (k) Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- (l) The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

Rule 7.

General Requirements

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8.

Existing Spray Booth Installations

These rules shall be retroactive in the following respects:

Rule 3.

- Subdivision D—Air Exhaust System.
- " E—Air Supply and Mixing.

Rule 4.

- Subdivision A—Construction of Spray Booths.
- " B—Construction of Baffle Plates.
- " C—Cleaning of Booths.
- " E—Maintenance of Duct Supports.
- " F—Location of Motors.
- " G—Method of Induced Draft.
- " H—Termination of Ventilating System.
- " K—Electric Lighting.

- Subdivision L—Separation of Booths, etc., from flame and sparks.
- " M—Electrical Equipment.
- " N—Heating of Rooms

Rule 5.

- Subdivision A—Certificate of Fitness.
- " B—Motor vehicles, in booths or rooms.
- " C—Maintenance of Exhaust fans.
- " D—Maintenance of Equipment.
- " E—Cleaning Implements.
- " F—Accumulation and Disposal of Waste Materials.
- " G—Smoking, Matches, etc.
- " H—Fire Appliances.

Rule 6.

- Subdivision A—Storage of Spraying Materials.
- " B—Storage of Spraying Materials less than 20 gallons.
- " C—Storage of Spraying materials not exceeding 40 gallons.
- " D—Storage of Spraying materials exceeding 40 gallons.
- " G—Maximum Storage in non-fireproof buildings.
- " H—Spray room or booth mixing.
- " I—Supplies allowed in booth.
- " J—Gravity Feed containers.
- " L—Smoking, matches, in mixing room.

NOTE:—Subdivisions A, B, C and D may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 7.

- Subdivision A—Posting "No Smoking" signs.
- " B—Clearance of combustible materials.
- " C—Clearance of Automatic Sprinkler heads.

Rule 9.

Approval Forms and Plans

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.	Paasche Spray Painting Equipment.....363-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.	Spraco Spray Painting Equipment.....479-32-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Evenheat Oil Burner.....	554-32-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Everedy Oil Burner.....	102-33-SA
Acme Oil Burner, Models BO-1 and BO-2...	132-34-SA	Fairfield Oil Burner.....	584-31-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Faultless Oil Burner.....	493-24-SA
Air-Blast Oil Burner.....	579-32-SA	Florence Oil Heater, Model KC-9.....	62-33-SA
Alladin Oil Burner.....	298-26-SA	Fluid Heat Domestic Oil Burner, Type O....	1094-27-SA
Alexander Oil Burner.....	65-28-SA	Fluid Heat Oil Burner.....	361-32-SA
Alida Oil Burner.....	124-34-SA	Forsdraft Oil Burner	41-34-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95 and 96.....	298-33-SA	Foster Oil Burner.....	715-26-SA
Arcoil Heat Machine.....	632-26-SA	Franklin Domestic Oil Burner.....	560-26-SA
Auto-Heat Oil Burner.....	284-33-SA	Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Fuelo Oil Burner.....	47-30-SA
Baker Automatic House Heating Burner....	1323-22-SA	Gar Wood Oil Burner.....	373-30-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Gar Wood Oil Burner, Models K and K-3500	481-32-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	General Electric Fuel Oil Burner.....	434-32-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Ghapco Steam Generator.....	348-31-SA
Berggren Oil Burner.....	764-26-SA	Gilbarco Industrial Burner.....	350-32-SA
Bethlehem Steam Atomizing Fuel Oil Burner.	485-32-SA	Gilbert & Barker Flexible Flame Burner....	109-31-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Gilbert & Barker Junior Flexible Flame Do- mestic Oil Burner	520-31-SA
Bettendorf Oil Burner.....	731-28-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Gill Oil Burner.....	1231-23-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Bock Oil Burning Water Heater.....	102-34-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Branford Oil Burner.....	36-31-SA	Goodspeed Oil Burner, Nozzle Type 2....	346-33-SA
Branford Oil Burner, Model "A".....	461-32-SA	Grant Oil Burner	382-26-SA
Brighton Oil Burner.....	372-33-SA	Grant Oil Burner, Model "C".....	232-32-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Hardinge Oil Burner.....	813-25-SA
Caloroil Burner, Type AA.....	1361-24-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S.....	229-32-SA	Harris Fuel Oil Burner.....	690-30-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Hart Automatic Oil Burner.....	1162-24-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Carborundum Burner	571-29-SA	Hart Oil Burner, Model "H"	221-33-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Hayward Oil Burner	696-30-SA
Carter-Korth Oil Burner	54-30-SA	Heatiator Oil Burner.....	1346-23-SA
Carter Oil Burner, Models 4X and 5X.....	117-34-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Century Oil Burner.....	157-28-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA	Hercules Oil Burner.....	510-29-SA
Challenger Oil Burner, Model "A".....	86-34-SA	Hercules Oil Burner, Models H and HF....	309-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Commonwealth Automatic Oil Burner.....	348-28-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Cook's Automatic Oil Burner.....	955-27-SA	Holland Type "F" Oil Burner.....	237-34-SA
Cope-Swift Safety Automatic Oil Burner...	354-31-SA	Homer Domestic Oil Burner.....	1211-25-SA
Crescent Oil Burner	222-29-SA	Hupp Oil Burner, Models H, U, P and PP...	10-34-SA
Crescent Type M Size I Oil Burner and Models 8, 18 and 28.....	592-31-SA	Improved Kres-Kno Oil Burner and Model MD	591-29-SA
Crown Oil Burner, Type XA.....	426-29-SA	Inferno Oil Burner.....	82-33-SA
Crystal Blue Flame Oil Burner.....	423-29-SA	International Mechanical Draft Oil Burner...	372-30-SA
Dahl Vaporizing Oil Burner.....	915-26-SA	International Oil Burner.....	1305-24-SA
D'Elia Oil Burner.....	155-31-SA	Jacobsen Balanced Oil Burner, (Model V-1).	333-33-SA
Delco Heat Oil Burner.....	420-31-SA	Johnson Improved Rotary Fuel Oil Burner...	938-22-SA
DeWalt Oil Burner.....	541-31-SA	Joyce Oil Burner.....	852-26-SA
Dist-o-matic Oil Burner.....	663-28-SA	K. F. C. Oil Burner.....	846-25-SA
Doe Oil Burner....	317-31-SA	Kelco Oil Burner.....	237-33-SA
Doherty Oil Burner.....	943-26-SA	Kelvinator Oil Burner.....	339-31-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Eisler Automatic Oil Burner.....	481-27-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Kleen Heet Oil Burner.....	62-24-SA
Electrol Automatic Oil Burner and Model BB	259-25-SA	Kleen Heet Oil Burner, Type "R".....	49-33-SA
Ember-Glo Oil Burner.....	462-32-SA	Kreager Oil Burner.....	367-30-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Kres-Kno Oil Burner.....	443-28-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Laco Oil Burner, Model NL.....	670-30-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Espo Oil Gas Burner.....	1431-23-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Lange Economical Oil Burner.....	355-33-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Lawrence May Oil Burner.....	1034-27-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Leader Oil Burner.....	425-31-SA	Rayfield Oil Burner.....	504-26-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Real Host Oil Burner.....	38-34-SA
Liberty Automatic Heater.....	129-28-SA	Re-Ly-On Oil Burner.....	745-26-SA
Liberty Pressure Oil Burner.....	75-34-SA	Remington Domestic Oil Burner, Type B.....	532-31-SA
Loneragan Automatic Oil Burner.....	208-33-SA	Remington Oil Burner.....	891-26-SA
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800.....	341-32-SA	Richmond Gravity Fuel Oil Burner.....	1193-22-SA
M. W. Oil Burning Water Heater.....	737-29-SA	Rickard Oil Burner.....	1011-27-SA
Magna Fuel Oil Burner.....	197-33-SA	Roto flame Oil Burner.....	187-33-SA
Majestic Oil Burner.....	693-30-SA	Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA
Marr Oil Burner, Model H, Type R.....	765-26-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Master-Kraft Oil Burner.....	83-33-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
May Oil Burner.....	68-24-SA	S-K Oil Burner, Model F.....	369-33-SA
May Oil Burner, Type BB.....	46-34-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Mayfield Oil Burner.....	568-31-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Mayflower Oil Burner.....	124-29-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
McIlvane Oil Burner.....	541-29-SA	Schulze Home Oil Burner.....	1487-23-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Merco Oil Burner.....	637-29-SA	Security Oil Burner.....	56-28-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Shepard Oil Burner.....	563-30-SA
Monitor Oil Burner.....	202-34-SA	Shill Oil Burner.....	315-30-SA
Morrissey Oil Burner.....	673-27-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C and O.....	463-31-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA	Silent Automatic Oil Burner.....	458-26-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Morse Fuel Oil Burner.....	820-23-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Moto-Heat Oil Burner.....	195-32-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Mousette Oil Burner.....	887-25-SA	Silent Glow Oil Burner, Models 800, 1000, 1800 and 2800	345-31-SA
National Airoil High Pressure Burner.....	185-29-SA	Simplex Domestic Oil Burner, Type P.A... ..	446-30-SA
National Airoil Low Pressure Burner.....	186-29-SA	Simplex Domestic Type "S.P." Oil Burner... ..	145-31-SA
National Airoil Type D-R Rotary Oil Burner.	548-31-SA	Socony Arrow Oil Burner.....	1191-24-SA
National Rotary Oil Burner.....	836-25-SA	Standard Automatic Oil Burner, Type 14-G..	536-31-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Standard Automatic Oil Burner, Type 11-G..	537-31-SA
New Process Oil Burner.....	1071-27-SA	Standardyne Oil Burner.....	34-34-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Stuhler Oil Burner.....	618-27-SA
Noiseless Nokol Rotary Oil Burner Model R	584-28-SA	Summerheat Oil Burner.....	581-26-SA
Nokol Automatic Burner.....	1078-24-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Norge Oil Burner Models N8, N18 and N28	226-34-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Nu-Way Oil Burner.....	773-26-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Gilbuilt Burner	85-33-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	Sun Heat Oil Burner.....	603-29-SA
Oronoque Oil Burner.....	394-30-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Orr Fuel Oil Burner.....	113-26-SA	Sunway Oil Burner.....	624-30-SA
Packard Fuel Oil Burner.....	77-34-SA	Super Automatic Oil Heater Model SSH.....	715-29-SA
Paramount Oil Burner.....	1193-25-SA	Superfex Oil Burning Heater.....	491-31-SA
Paramount Oil Burner, Model A.....	617-30-SA	Superfex Oil Burner, for Warm Air Furnaces	400-32-SA
Pascoe Oil Burner.....	1029-26-SA	Superheat Oil Burner, Model D.....	254-33-SA
Petro Domestic Burner.....	161-26-SA	Sword Automatic Oil Burner.....	951-25-SA
Petro Model T Oil Burner.....	451-31-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
Petro Model W Oil Burner.....	452-31-SA	Thoroburn Oil Burner, Model A-1-16-G.....	269-33-SA
Petro Burner, Model O.....	78-28-SA	Timken Oil Burner, Model 20.....	287-28-SA
Petro Burner, Model P-2.....	735-30-SA	Timken Rotary Oil Burner.....	297-29-SA
Petro Oil Burner, Model W-2	244-33-SA	Timken Silent Automatic Oil Burner, Model G	266-34-SA
Petro Oil Burner, Models W-1 and W-1½..	245-33-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Todd Spiro Oil Burner.....	470-31-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Todd Spiro Burner (pump type).....	94-32-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Toridheet Oil Burner.....	63-28-SA
Powerlight Oilheat Burner.....	628-23-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Pressure Oil Burners, Models A, B and C..	146-31-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Uni-Lec-Tric Oil Burner.....	498-29-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA		
Quaker Burnoil Stove.....	11-31-SA		

APPROVED APPLIANCES

<i>Name of Burner.</i>	<i>Calendar No.</i>	<i>Name of Burner.</i>	<i>Calendar No.</i>
United States Oil Burner.....	620-28-SA	Wayne Oil Burner.....	1155-25-SA
Universal Fuel Oil Burner.....	6-24-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Vaporoil Burner	44-32-SA	Wheco Oil Burner.....	108-34-SA
Vesta Oil Burner.....	451-26-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB and R.....	918-22-SA
Victor Oil Burner.....	612-30-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Victory Oil Burner.....	320-30-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Viking Oil Burner.....	396-32-SA	Wizard Automatic Oil Burner.....	181-33-SA
Volcano Automatic Oil Burner.....	556-29-SA	York Automatic Oil Burner.....	44-29-SA
Volcano Automatic Oil Burner, Models EW-1, EW-1-S and EW-2.....	341-33-SA	Yorktown Oil Burner.....	166-33-SA
Warner Oil Burner, Model A.....	16-34-SA		

APPROVED APPLIANCES

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	M. D. Rotary.....	52-27-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Beach Russ Co. Rotary.....	1134-22-SA	Monroe Oil Pump.....	658-26-SA
Blackmer Rotary	935-24-SA	Northern Rotary	1396-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Pascoe Pump Set.....	1029-26-SA
Century Rotary	908-21-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Cook Electric Oil Pump.....	603-25-SA	Quiet May Gerotor Pump.....	267-32-SA
Davidson	590-21-SA	Quimby Screw Pump.....	1193-21-SA
Dean Bros. Durable Duplex.....	840-22-SA	Ray Rotary	588-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Rotary Pressure Pump.....	1060-25-SA
Deming Double Oscillating Force Pump....	458-27-SA	Rotary Vacuum Pump.....	513-25-SA
Deming Fuel Oil Pump.....	298-31-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Enterprise Oil Pump.....	11-28-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Goulds Hand Rotary.....	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Triplex Plunger.....	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump.....	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
		Worthington Duplex Double-Acting Steam Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
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Cases filed up to November 21, 1934.....	328	Dismissed	14
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		Granted	1
		Granted on condition.....	159
		Appliances approved	64
		Appliances dismissed, disapproved or withdrawn....	31
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	274	Requests to reopen granted.....	239
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Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	57	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	12	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	57
Requests for interpretation.....	1	Requests for extension of time denied.....	0
		Requests for extension of permit granted.....	12
		Requests for extension of permit denied.....	0
		Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	12
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	14
Total.....	1,073	Total.....	875
Disposed of	875		
Cases pending November 21, 1934.....	198		

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

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New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.
TELEPHONE—WORTH 2-0184.
OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.
All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—

- Docket.
- Court Decision.
- Opinion of Corporation Counsel.
- Call of Clerk's Calendar.
- Notices in Building Zone Cases.
- The Trial Calendar.
- Minutes of Regular Meeting, November 27, 1934, at 10 A. M.
- Minutes of Regular Meeting, November 27, 1934, at 2 P. M.
- Approved Fuel Oil Pumps.
- Concrete Flat Slab Rules.
- Reserve Calendar.
- Approved Fireline Hose Valves.
- Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, December 3, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, December 10, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to November 28, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
334-34-BZ.....	D.B.Q.....	204-19 Hollis ave. and 109-44 205th st., N.W. cor. (Block 1856, part of Lot 28), Hollis, Queens. N.B. 1791-34.
333-34-SA.....	F.D.....	Viking Range Oil Burning Heaters, Models 20, 30, 60, 65, 70 and 80, Appliance.
332-34-BZ.....	D.B.M....	1108-1112 1st ave. and 400 East 61st st., S.E. cor. (Block 1455, Lots 46 and 48 and west part of Lot 42), Manhattan. N.B. 193-34.
331-34-A.....	D.B.Bx....	847 East 218th st. (Block 4677, Lot 16), The Bronx. Order No. 1011-34.
330-34-A.....	D.B.M....	59-65 Liberty st. and 2 Liberty place (Block 64, Lot 9), Manhattan. 17269-F.
329-34-SA.....	F.D.....	Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275, Appliance.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Br.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

RULES

	<i>Last Publication in Bulletin</i>
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Concrete Flat Slabs, Rules.....	Dec. 4, 1934—Vol. 19 No. 49
Concrete Rules (Hydrated Lime).....	Oct. 9, 1934—Vol. 19 No. 41
Elevator Rules.....	July 3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46
Factory Exit Rules.....	Nov. 14, 1933—Vol. 18 No. 46
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LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	Dec. 4, 1934—Vol. 19 No. 49
Fuel Oil Burners for Domestic and Commercial Use.....	Nov. 27, 1934—Vol. 19 No. 48
Fuel Oil Burners for Industrial Use.....	Nov. 6, 1934—Vol. 19 No. 45
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Range Oil Burners.....	Nov. 13, 1934—Vol. 19 No. 46

COURT DECISION.

Matter of No. Shore Motor Sales Co., Inc. (Murdock et al.)—May 8, 1934, Board denied gasoline station, motor vehicle repair shop and auto laundry, under sections 7-c and 21, partly in business and partly in residence district; Cal. No. 50-34-BZ; Premises 153-20 Northern boulevard, Flushing. Mr. Justice Humphrey sustained Board (N. Y. L. J., November 23, 1934).

OPINION OF CORPORATION COUNSEL

CITY OF NEW YORK
LAW DEPARTMENT
Office of the Corporation Counsel

Paul Windels
Corporation Counsel
New York, November 21, 1934.
(13079)

Hon. Harris H. Murdock,
Chairman, Board of Standards and Appeals.

Sir:

I have received your communication dated October 10th 1934, which reads as follows:

"Under Sections 718 and 719 of the Greater New York Charter, the Board of Standards and Appeals are given certain powers which you advised me in your opinion No. 7 of February 15, 1934, have not been affected, in the following words:

'In answer to the inquiry made by you, I have to advise you that it is my opinion that the Board of Buildings, established under Chapter 764 of the Laws of 1933, has not been given powers beyond those devolved upon the various Superintendents of Buildings under Section 411 of the Greater New York Charter prior to this amendment, and that the powers of the Board of Standards and Appeals under the provisions of Sections 718 and 719 of the Greater New York Charter have not in any manner been limited or abridged in that respect by the new act.'

The above opinion was rendered in answer to the question in respect to the powers of the Board of Buildings under Section 411 of Chapter 764 of the Laws of 1933. This inquiry is as to the powers of the Board of Buildings under Section 406. My understanding of Section 406 is that the entire scope of powers of the Board of Buildings as to formulating rules is defined therein, and that the provisions in Section 411 as to rules and regulations are repetitive and not in excess of the powers defined under Section 406.

Under Section 718-A of the Charter, the Board of Standards and Appeals are given power to test materials and also—

'2. To make, amend and repeal rules for carrying into effect the provisions of the laws, ordinances and rules and regulations in respect of any subject or matter, jurisdiction whereof is conferred upon the Board by this act, or upon a Superintendent of Buildings by title two of chapter 9 of this act or by ordinance or upon the Fire Commissioner by title three of chapter fifteen of this act or by ordinance, and to include in such rules and regulations provisions applying to specific conditions and prescribing means and methods of practice to effectuate such provisions and for carrying into effect the powers

CALENDAR

of the Board. Such rules and regulations shall take the place of rules and regulations made by a President of the Borough, a Superintendent of Buildings or the Fire Commissioner.

'3. Make, amend and repeal rules and regulations regarding the enforcement of those provisions of the Labor Law and other laws which relate to the construction, alteration, structural changes in, plumbing and drainage of, elevators, fire escapes on, adequacy and means of exit from and fire alarm systems in all buildings, except tenement houses, within the City of New York.

'All rules and regulations made by the Board pursuant to this section, shall take the place of the industrial code and of any rules or regulations of the Labor Department relating to the same subject-matter.

'4. Exercise exclusively with respect to buildings situated in the City of New York, the same powers as are conferred upon the Industrial Commission by chapter seven hundred and nineteen of the laws of nineteen hundred and fifteen.'

Further, under Section 718-B, subdivision 2, provision is made that rules theretofore adopted by a Superintendent of Buildings, Fire Commissioner or any other officer shall continue in force 'until amended, repealed or superseded and be enforced as rules and regulations of the Board.'

In my opinion, it was not the intention of the legislature to give the Board of Buildings powers to test materials and make rules and regulations such as is given to the Board of Standards and Appeals under Sections 718 and 719 of the Charter. The rule-making power given to the Board of Buildings is of an entirely different nature and has reference solely to the administrative methods of the Departments of Buildings and to the uniform interpretation and application of all laws, ordinances and rules of the Board of Standards and Appeals.

The questions on which I desire an opinion are:

1. Have the powers of the Board of Standards and Appeals under Sections 718 and 719 as to power to make rules and regulations as in those sections set forth, been limited or abridged by Chapter 764 of the Laws of 1933?

2. Has the Board of Buildings under Section 406 and Section 411 of Chapter 764 of the Laws of 1933, power to adopt rules for carrying into effect the provisions of laws and ordinances such as is given exclusively to the Board of Standards and Appeals under Section 718-A of the Charter?

3. Is it obligatory upon a Commissioner of Buildings to enforce rules adopted by the Board of Standards and Appeals?

1. As stated to you in my opinion of February 15, 1934, the power of the Board of Standards and Appeals to make rules and regulations as set forth in Sections 718 and 719 of the Greater New York Charter has not been limited or abridged by Chapter 764 of the Laws of 1933.

2. The Board of Buildings under Section 406 and Section 411 of Chapter 764 of the Laws of 1933 does not have the power to adopt rules for carrying into effect the provisions of laws and ordinances such as is given exclusively to the Board of Standards and Appeals under Section 718-A of the Charter.

3. The Commissioner of Buildings has the power and it is his duty under Chapter 764 of the Laws of 1933 to enforce such rules and regulations of the Board of Standards and Appeals as come within his jurisdiction.

Truly yours,

(Signed) PAUL WINDELS,
Corporation Counsel.

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 3, 1934, AT 2 P. M.

Building Zone Cases.

253-34-BZ.

APPLICANT—William Shary, for S.P.R. Realty Corp., owner.

PREMISES—West side of Westchester avenue from Doris street to Glover street (Block No. 3965, Lot Nos. 35 to 40), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

287-34-BZ.

APPLICANT—Howard Kelly, for Mutual Life Insurance Co., owner.

PREMISES—1401-1409 College avenue, northwest corner of East 170th street (Block No. 2786, part of Lot Nos. 2 and 29), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

290-34-BZ.

APPLICANT—Levy & Berger, for 291 Greenwich Street Corp., owner.

PREMISES—1611-1619 Eastern boulevard (Ludlow avenue), northwest corner of Morrison avenue (Block No. 3718, Lot No. 1), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

292-34-BZ.

APPLICANT—John Palmeri, owner.

PREMISES—147-02 to 147-12 90th avenue, southeast corner of Sutphin boulevard (Block No. 780, Lot No. 16), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

DECEMBER 4, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 4, 1934, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 262-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of James Whitford, applicant, on behalf of Oscar A. Johnsen, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1111 Forest avenue, northwest corner of Greenleaf avenue (Block No. 235, part of Lot No. 47), West New Brighton, Borough of Richmond.

CAL. NO. 268-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution,

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tion, of Samuels and Samuels, applicants, on behalf of Herman M. Seldin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

CAL. NO. 118-30-BZ—Application, February 14, 1930, under section 21 of the building zone resolution; denied July 1, 1930; reopened September 11, 1934, under section 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Sadye Hydecker, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2700-2706 Eastchester road and 1501-1509 Allerton avenue, northeast corner (Block No. 4534, Lot No. 12), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 4, 1934, 2 P. M.

Appeals from Administrative Orders.

- 265-34-A—151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Lot No. 61), Brooklyn.
- 298-34-A—251-253-255 Bowery (Block No. 427, Lot No. 4), Manhattan.
- 216-34-A—52-64 Warren street (Block No. 303, Lot No. 1), Brooklyn.
- 245-34-A—West side of Vernon boulevard, 90 ft. north of 43d avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

Petition for Variation

- 295-34-S—44-46 Crown street (front) and 42-48 Crown street (rear) (Block No. 1190, Lot No. 30), Brooklyn.

Appliances Submitted for Approval.

- 321-34-SA—Shawmut "Junior" Range Burner.
- 322-34-SA—Shawmut "DeLuxe" Range Burner.
- 323-34-SA—Hi-Heat Range Burner, Models A and DeLuxe.
- 325-34-SA—Diamond Range Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 4, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 207-34-BZ—Application, July 12, 1934, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Anna Shattan, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 97 Steuben street, north-

east corner of Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

CAL. NO. 195-34-BZ—Application, July 2, 1934, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Hattie M. Marks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

CAL. NO. 261-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of Wood & Marshall, applicants, on behalf of Samuel H. Baylis and Sheldon F. Baylis, owners, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles; premises 93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

CAL. NO. 272-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Benjamin Millstein, applicant, on behalf of John J. Tully, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

CAL. NO. 378-33-BZ—Application, December 13, 1933, under section 21 of the building zone resolution, of Rubinstein and Rosling, applicants, on behalf of Kings Brewery, Inc., owner, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); (restored to calendar October 23, 1934); premises 225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 10, 1934, AT 2 P. M.

Building Zone Cases.

264-34-BZ.

APPLICANT—William C. Goodson, for Bartho'di Turecamo, owner.

PREMISES—8412 Ridge boulevard (Block No. 6023, Lot No. 39), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "F" area district the erection and maintenance of a private garage within fifteen (15) feet of the building line.

CALENDAR

231-34-BZ.

APPLICANT—Samuel M. Rivelson, for Constantinos Demetrookas, Inc., owner.

PREMISES—9402-9404 Church avenue, southeast corner of East 94th street (Block No. 4715, Lot No. 36), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

297-34-BZ.

APPLICANT—Jack Fein, for Enmor Realty Corporation, owner.

PREMISES—2705-2715 Nostrand avenue, east side, 360 ft. north of Avenue N (Block No. 7666, Lot No. 25), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

320-34-BZ.

APPLICANT—Allmendinger & Schlendorf, for Werst Realty Co., owner.

PREMISES—71-39 to 71-49 Cooper avenue and 71-54 to 71-66 72nd street, northwest corner (Block No. 3688, Lot No. 38), Glendale, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the change of occupancy of an existing building to a business use (funeral home).

816-24-BZ.

APPLICANT—Eugene De Rosa, for National Council of Congregational Churches, owner.

PREMISES—799-805 Washington avenue, southeast corner of Lincoln place (Block No. 1180, Lot No. 6), Borough of Brooklyn.

APPLICATION, under sections 7a and 7c of the building zone resolution (reopened July 17, 1934),

TO PERMIT in a residence district, the alteration, extension and change of occupancy of a building now occupied as a public market and stores (granted by the board October 3, 1924) to its original occupancy of motion picture theatre and stores.

DECEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 11, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 354-32-BZ—Application of Samuel Oliphant, on behalf of Charles A. McKeon, lessee, reopened November 20, 1934, under section 21 of the building zone resolution, for consideration of extension of permit—re Application, granted on certain conditions, permitting in a business district the maintenance of parking space for more than five (5) motor vehicles; premises 598 Flatbush avenue, west side, 176 ft. 7¼ in. north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn.

CAL. NO. 243-34-BZ—Application, August 20, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of A. R. Olson Bldg. Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2909-2917 86th street and 525-535 Van Sicklen street, northeast corner (Block No. 7169, Lot No. 28), Borough of Brooklyn.

CAL. NO. 267-34-BZ—Application, September 24, 1934, under section 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Rosa B. R. Heintz and Jacob Siegal, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises east side of Jerome avenue, 160.8 ft. north of East 213th street (Block No. 3329, Lot No. 92), Borough of the Bronx.

CAL. NO. 269-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Marcus Cohn, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Woodhaven boulevard and 162nd avenue (Block No. 4040, Lot No. 87), Aqueduct, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 11, 1934, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 11, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 238-34-BZ—Application, August 15, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of David F. Walsh, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

CAL. NO. 258-34-BZ—Application, October 15, 1934, under section 21 of the building zone resolution, of J. M. Felson, applicant, on behalf of 2230 Grand Concourse Corp., owner, to permit in a residence district the erection and maintenance of a building to be used in part for business purposes (stores); premises northeast corner of East 182nd street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

CALL OF CLERK'S CALENDAR MONDAY, DECEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

281-34-BZ.

APPLICANT—John M. Baker, for Astoria Riker Corporation, owner.

PREMISES—Southeast corner of Astoria boulevard and (proposed) 77th street (Block No. 1030, part of Lot No. 40), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

296-34-BZ.

APPLICANT—Eugene De Rosa, for 1934 Realty Corp., owner.

PREMISES—South side of East Mount Eden avenue, entire block from Townsend avenue to Walton avenue (Block No. 2845, Lot Nos. 34 and 56), Borough of The Bronx.

APPLICATION, under section 7c of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of an extension to an existing building—to be used as a theatre.

116-30-BZ.

APPLICANT—William Shary, for Samuel Rubin & Son, Inc., owner.

PREMISES—1401 Grand Concourse, southwest corner of East 170th street (Block No. 2842, Lot No. 59), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened November 7, 1934).

TO PERMIT in a residence district the alteration and conversion of occupancy of part of basement and first story of an existing apartment house from dwelling to business use (stores); (previously withdrawn).

DECEMBER 18, 1934, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 18, 1934, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 500-28-BZ—Application of William Shary, applicant, for Charles Zenker, present owner, reopened October 2, 1934, under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station; premises 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 26, 1934, 2 P. M.

Appeal from Administrative Order.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 27, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, November 20, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, November 20, 1934, were approved as printed in Bulletin No. 48, Vol. XIX.

BUILDING ZONE CASES.

238-34-BZ.

APPLICANT—Lama & Proskauer, for David F. Walsh, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy, David F. Walsh, R. F. Isaacs and Charles D. Wells.

For Opposition: Assemblyman Jacob H. Livingston, Irving I. Steinman, Anna I. McCue, George Naeder, Adolph M. Reich, Philip Michaels and D. J. Ryan.

ACTION OF BOARD—Laid over to December 11, 1934, at 2 p. m., for report of committee on inspection. No further argument.

258-34-BZ.

APPLICANT—J. M. Felson, for 2230 Grand Concourse Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a building to be used in part for business purposes (stores).

PREMISES AFFECTED—Northeast corner of East 182d street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: J. M. Felson and Frank J. Armstrong.

For Opposition: George Holober.

MINUTES

ACTION OF BOARD—Laid over to December 11, 1934, at 2 p. m., for report of committee on inspection. No further argument.

500-28-BZ.

APPLICANT—William Shary, for Charles Zenker, present owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station. (Reopened October 2, 1934).

PREMISES AFFECTED—2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary, Charles Zenker and Joseph S. Resnick.

For Opposition: None.

ACTION OF BOARD—Laid over to December 18, 1934, at 2 p. m., to permit applicant to submit amended plans.

5-34-BZ.

APPLICANT—Joseph A. Gelbman, for Elsie S. Domville, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the change of occupancy of an existing building from residence use to business use. (Previously withdrawn, reopened September 18, 1934.)

PREMISES AFFECTED—15 East 61st street (Block No. 1376, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph A. Gelbman and James P. Holland.

For Opposition: James A. McCarthy, S. A. Wolff and L. C. Squire.

ACTION OF BOARD—Request to withdraw denied; application denied.

THE VOTE TO WITHDRAW—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Absent 0

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Absent 0

THE RESOLUTION—

(5-34-BZ)

WHEREAS, Louis I. Becker, for Elsie S. Domville, owner, filed January 15, 1934, an application under the building zone resolution, to permit in a residence district the change of occupancy of an existing building from residence use to business use; premises: 15 East 61st street (Block No. 1376, Lot No. 12), Borough of Manhattan; and

WHEREAS, this application was withdrawn March 20, 1934, and restored to calendar by vote of the board, September 18, 1934, on request of Joseph A. Gellman, present architect for the owner, Elsie S. Domville; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 61st street is in a residence and business district; Fifth avenue is in a residence and business district and East 62d street is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 8, 1934, re Application No. 24-1934, reads:

"1. Unlawful to change use of building to business purposes in a residence district. Section 3, building zone resolution."

and

WHEREAS, the building is of non-fireproof construction, 5 stories (48 ft.) in height, with a frontage of 25 ft., and a depth of 80 ft., irregular, erected as a dwelling; it is proposed to occupy the building as a restaurant; and

WHEREAS, in the opinion of the board this building could be used for a conforming use and bring a reasonable return in the investment; and

WHEREAS, the board is of the opinion that the contention of the owner that she could derive a greater income from the property, from a non-conforming use than she could obtain from a conforming use, does not constitute practical difficulties or unnecessary hardship within the meaning of the building zone resolution; and

WHEREAS, the board deemed therefore that the applicant did not substantiate his basis of appeal brought under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 12:30 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 27, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

254-34-BZ.

APPLICANT—A. P. Sorice, Jr., for Mildred Gerrato, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing public garage.

PREMISES AFFECTED—South side of 91st avenue, 179 ft. west of 169th street (Block No. 885, Lot No. 39), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Samuel L. Meltz.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

152-34-BZ.

APPLICANT—Alexander K. Schaap, for Eva C. Schaap, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district change of occupancy of 1st floor from automobile storage to motor vehicle shop.

PREMISES AFFECTED—344 Cumberland street, west side, 27 ft. 10 in. south of Fulton street (Block No. 2005, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS FOR LACK OF PROSECUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(152-34-BZ)

WHEREAS, this application affecting premises 344 Cumberland street, west side, 27 ft. 10 in. south of Fulton street (Block No. 2005, Lot No. 52), Borough of Brooklyn, was filed with this board on June 8, 1934; and

WHEREAS, although the applicant was notified to complete his papers, he failed to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

215-34-BZ.

APPLICANT—Leonard J. Tompkins, for Jamaica Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Merrick road (boulevard) and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Leonard J. Tompkins.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(215-34-BZ)

WHEREAS, Leonard J. Tompkins, for Jamaica Savings Bank, owner, filed July 23, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Southwest corner of Merrick road (boulevard) and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Merrick road is business; 118th avenue is residence and business; 118th road is residence and business and Foch boulevard is business; and

WHEREAS, the decision of the commissioner of buildings, rendered July 23, 1934, re Plan No. N.B. 135, reads:

“Establishing a gasoline service station in a business district contrary to article 2, section 4, subdivision 46, building zone resolution.”

and

WHEREAS, the premises consist of a plot of ground having a frontage of 114 ft. 8 in. on Merrick boulevard and 100 ft. on 118th avenue—upon which it is proposed to erect a one-story office 15 ft. by 20 ft. in area, greasing lifts and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 215-34-BZ.

Premises: Southwest corner of Merrick road and 118th avenue (Block No. 3130, Lot No. 323), St. Albans, Borough of Queens.

This site and the surrounding section were inspected by a committee of the board on November 22d, 1934.

118th avenue is developed with single family houses being zoned for residence use beyond the 100 ft. frontage zoned for business uses along Merrick road. Merrick road is partially developed with business uses, there being store buildings on the other half of this block frontage and on the opposite corner of 118th avenue. There are several gasoline stations within sight of this plot; to name some of them within a few blocks,—two at the corner of Linden boulevard, two at Baisley boulevard, two at 125th avenue, one at Leslie road. There appears no good reason for more.

The committee is of the opinion that as the Court stated in the case of Werner vs. Walsh, the board should exercise regulation, and the committee is of the opinion that the time has arrived when to add more stations in this section to what is already an

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ample supply for all public requirements, is to unduly depreciate this area and preclude the erection of conforming buildings. That there can be no justification of hardship is indicated by the erection of new store buildings almost opposite the site under appeal.

This property has recently been foreclosed by the Jamaica Savings Bank who should, in the interest of maintaining the zoning regulations, not be a party to depreciating general values in this area because of the opportunity of cashing in on this particular plot by disposing of it for a non-conforming use.

The committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

191-34-BZ.

APPLICANT—Croker Fire Prevention Corporation, for The Hermitage Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the use of a plot of ground as a parking space for more than five motor vehicles.

PREMISES AFFECTED—2087 Boston road, west side, 100 ft. south of East 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: Milton H. Friedman, Bella Feldman, Bertha Mapes and Henry D. Becker.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(191-34-BZ)

WHEREAS, Croker Fire Prevention Corp., for The Hermitage Corp., owner, filed June 28, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district the use of a plot of ground as a parking space for more than five motor vehicles; premises: 2087 Boston road, west side, 100 ft. south of East 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boston road is business and residence; East 179th street is residence, business and unrestricted; East 180th street is business and residence and Bryant avenue is residence and business; and

WHEREAS, the decision of the commissioner of buildings, rendered August 15, 1934, reads:

"Your request for a certificate of occupancy for the use of vacant property as a parking space for 150 motor vehicles at 2087 Boston road, west side, 100 ft. south of East 180th street, extending through to the east side of Bryant avenue, Block 3137, Lot 20, in the Borough of The Bronx, is hereby denied as the premises are located partly in a business district and partly in a residence district and proposed occupancy is contrary to the provisions of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 105 ft. on Boston road, 16 ft. on Bryant avenue and a maximum depth of 337 ft. The west portion is located in the residence district and the east portion is in the business district. Proposes to use the plot as a parking space for more than five motor vehicles; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 191-34-BZ.

Premises: 2087 Boston road, west side, 100 ft. south of East 180th street (Block No. 3137, Lot No. 20), Borough of The Bronx.

This is an application under section 21 to use as a parking lot for automobiles the interior plot on Boston Post road, between East 179th street and East 180th street, Borough of The Bronx. The plot is now vacant but was formerly used as an open air theatre and adjoins a theatre and store building under the same ownership. The required exit passage from this theatre is through the open lot.

In the opinion of the committee of the board which inspected this plot, in addition to considering the owner's claim for hardship, the public need should be considered in line with the opinion of the court in the case of Werner vs. Walsh in which the court stated that the board should exercise regulation.

Parking of cars in open lots as an outdoor garage is undoubtedly contrary to the provision of the zoning resolution in both residence and business areas. Adjacent to shopping centres and transportation terminals space for parking is a public need to keep automobiles from parking in the streets. Garages do not entirely fill the needs. Their rates are higher than open lot parking and the public is less inclined to drive to garages that are generally inaccessible. Here we find several garages, one directly across the street and several others in the next street east which is properly zoned as unrestricted where garaging either in buildings or in the open is permitted and there are several open parking lots in this unrestricted area conveniently located to the business centre of West Farms and the transportation centres at that point. The committee having surveyed the area and noted the parking needs both by day and by night, is of the opinion that additional parking facilities are not now needed and that the unrestricted district nearby furnishes ample space when additional parking facilities are required.

To permit parking on the plot under appeal would deprive garages both under cover and in the open of business which indications show is not too plentiful. These properties are just as much in difficulty to produce carrying charges as the plot under appeal.

Even if hardship exists, the orderly regulation of zoning should be followed. Uses intended for unrestricted areas should not exist in business areas where not permitted unless unrestricted areas are not available, and then only on a proof of unnecessary hardship and for the public need.

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Temporarily it may be true that it is impossible to develop this property under appeal with a business building because of the impossibility of obtaining financing. That condition is universal. It has been used for conforming purposes. Its nearness to West Farms Centre would indicate that it can be used for conforming uses upon the return of better business conditions. This parking might be a temporary use only but without need for it and because of the harm it might cause the objecting owners of apartment houses, where rear apartments overlook the plot under appeal, it is the opinion of the committee that the application should be denied.

(Signed) H. H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

592-24-BZ.

APPLICANT—Harry L. Alper, for Fannie Blumberg, present owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the alteration and change of occupancy of an existing public garage for more than five motor vehicles, previously granted by the board, so as to permit the inclusion of a gasoline service station (reopened November 13, 1934).

PREMISES AFFECTED—240-250 Empire boulevard, southwest corner of Rogers avenue (Block No. 1314, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry L. Alper.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(592-24-BZ)

WHEREAS, Harry L. Alper, for Fannie Blumberg, owner, filed an application under the building zone resolution to permit in a business district the change of occupancy of an existing garage for the storage of more than five motor vehicles so as to permit the inclusion of a gasoline service station; this garage having been granted by the board February 10, 1925; premises: 240-250 Empire boulevard, southwest corner Rogers avenue (Block 1314, Lot No. 44), Borough of Brooklyn; and

WHEREAS, this application was reopened by vote of the board November 13, 1934; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Empire boulevard and Rogers avenue are business districts and Sterling street is a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 7, 1934, re App. No. 11555-1934, reads:

"Proposition not in accordance with B. of S. & A. Resolution attached to permit 2070-1925. For modification of occupancy refer back to Board of Standards and Appeals."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 99 ft. 3 in. and a depth of 100 ft., occupied as a garage for more than 5 motor vehicles, it is proposed to set back a portion of the front wall for a gasoline service station; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board on November 8, 1934, which inspection was made and verbal report submitted by the chairman in behalf of the committee; and

WHEREAS, this report recommended the granting of this application and the board deemed that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of February 10, 1925, by adding thereto the additional paragraph reading as follows:

"That in the event that the owner desires to alter this building so as to construct a gasoline service alcove on the Empire boulevard frontage, that this may be permitted *on condition* that the front wall and roof of the building for a distance to the south of approximately 19 ft. shall be entirely removed and a new masonry wall faced with face brick be constructed parallel to Empire boulevard at a point southerly therefrom approximately 19 ft. and continuously from the exterior sidewalk on Rogers avenue to the westerly interior lot line wall; that this wall shall be continuous from suitable footings below grade to the underneath side of the existing roof; that all window openings in this wall shall be equipped with fireproof frames and sash glazed with wire glass; that the doors from this alcove to the garage shall not exceed three, two to the garage proper and one to the garage office, as indicated on plans filed with this appeal, marked 'received November 22, 1934'; that the walls on the interior lot line to the west and on Rogers avenue shall remain for the full height of the building to the Empire boulevard building line; that there shall be no open excavation under this gasoline service alcove except for boiler room near the corner of Rogers avenue and Empire boulevard and such boiler room shall be entirely separated from the balance of the building by fireproof construction and enterable only from the exterior of the building (on the Rogers avenue side); that such additional gasoline tanks as are installed shall be below the level of this boiler room floor, or if not below such floor shall be at least 30 ft. therefrom; that gasoline pumps erected shall be not nearer than 10 ft. to the building line or garage wall; that if grease pits are constructed at the westerly end, where indicated, there shall be a wall erected on the Empire boulevard building frontage for the full height of the building and for the full length of the grease pits; that in the event such grease pits are installed, there may be a roof over same, provided the ceiling is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any openings in this wall screening greasing pits, opening upon Empire boulevard shall have fireproof frames and sash; that all advertising shall be limited to the illuminated globes of the gasoline pumps and to a permanent flat sign attached to the building, excluding all roof signs and signs of a temporary nature; that there shall be no portable gasoline pumps used on or from the property; that no gasoline pumps shall be maintained within the garage area; that all permits (for this gasoline selling alcove) shall be obtained within three months and all

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work involved therewith completed within one year from the date of this amended resolution; that other than as amended herein, the resolution adopted by the board on February 10, 1925, shall be complied with in all respects."

339-33-BZ.

APPLICANT—Samuels and Samuels, for Otnas Realty, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened July 17, 1934).

PREMISES AFFECTED—14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Samuel S. Feinberg.

For Opposition: David Groberg.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(339-33-BZ)

WHEREAS, Martin J. Ort, for Otnas Realty, Inc., owner, filed November 10, 1933, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot Nos. 46 and 48), Astoria, Borough of Queens; and

WHEREAS, the application was withdrawn February 23, 1934, and reopened July 17, 1934, on request of Samuels & Samuels, attorneys for owner; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 21st street is in a business district; 29th avenue is in a business and residence district and 28th avenue is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered July 24, 1934, re Plan No. 2262-33, reads:

"Erection of a gasoline service station in a business district is contrary to article 2, section a, subdivision 46, Building Code Zone resolution. Note Drawings on cloth in duplicate required also approval stamp of the Board of Standards and Appeals."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on 21st street and 100 ft on 29th avenue—upon which it is proposed to erect a one-story office 20 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station. Proposes to remove the frame dwelling now on the site and to use the existing one-story 15 ft. by 25 ft. (according to scale) building now on the site as an auto laundry; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 339-33-BZ.

Premises: 14-57 29th avenue, northwest corner of 21st street (Block No. 538, Lot. Nos. 46 and 48), Astoria, Borough of Queens.

This application is under section 21 for a non-conforming use as a gasoline station in a business area. 21st street, formerly known as Van Alst avenue, is a wide thoroughfare leading from Astoria toward Long Island City. It is an important thoroughfare and will become more so upon the completion of Triborough Bridge.

Contrary to the impression given by the photographs filed in this case, this immediate area is well developed with private dwellings, many of them brick as shown on photographs filed by the objectors at the hearing. This plot and the one on the opposite corner of 29th avenue are particularly noticeable as not having been developed in keeping with the surroundings. This particular plot under appeal has a small frame dwelling which is occupied and brings some return although undoubtedly not as great a return as the gas station for which a proposal has been made to the owner but which cannot be carried through without the approval of the board on a showing of unnecessary hardship existing to preclude the use of the property for a conforming use. Of course, the property is now being so used but the owner is attracted by the prospect of a better return from a non-conforming use.

It is pointed out by the present applicant, who was not connected with the case when the application was previously withdrawn because of the almost unanimous opposition, that the absence of gas stations on 21st avenue makes this station an actual need.

The high assessed value—\$13,000—is blamed for the owner's inability to erect a store building or an apartment building, but no evidence is presented that efforts were made to erect either. It does not appear that this assessed valuation is unduly high, even as business property, militating against the erection of a conforming building considering that the owner paid \$11,500 twenty-two years ago and has been content until recently to use the property for a private dwelling.

In the opinion of the committee which inspected this site and the surrounding section on November 22, 1934, the plot is admirably adapted for conforming use and there is nothing in the area to indicate any hardship whatever to preclude such use. The overwhelming sentiment of the neighborhood is against the proposed gasoline station and the committee is of the opinion that their objections are well founded and should be considered.

Upon the opening of Triborough Bridge, conditions may be altered. This property may be in greater demand for business use than at present and financial conditions may so improve as to make mortgage money more available. At present the committee sees nothing to justify granting the application even though they have made a careful and they hope intelligent survey of the area and they recommend denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had not substantiated the basis of his application under section 21 of the building zone resolution.

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Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

242-34-BZ.

APPLICANT—John Pross, for Jalccc Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a garage for more than five motor vehicles.

PREMISES AFFECTED—787-795 Empire boulevard, north side, 260 ft. east of Troy avenue (Block No. 1423, Lot Nos. 41-43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Israel B. Leibson.

For Opposition: D. W. Hyland.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(242-34-BZ)

WHEREAS, John Pross, for Jalccc Realty Corp., for owner, filed August 17, 1934, an application under the building zone resolution to permit in a business district the change of occupancy of an existing building to a garage for more than five motor vehicles; premises: 787-795 Empire boulevard, north side, 260 ft. east of Troy avenue (Block No. 1423, Lot Nos. 41-43), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 27, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Empire boulevard is business; Montgomery street is residence and business; Troy avenue is business and Lefferts avenue is business; and

WHEREAS, the decision of the commissioner of buildings, rendered August 13, 1934, re App. No. 7879-1934, reads:

"Change of occupancy of building within business district from garage for not more than five motor vehicles to a garage for more than five motor vehicles is contrary to the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 77 ft. on Empire boulevard, 53 ft. 9 in. along the rear lot line and a depth of 112 ft. Upon the west portion of the plot there is located a two-story brick dwelling; adjoining this building (to the east) there is located an irregular shaped one-story structure, having a frontage of 20 ft., a distance of 33 ft. 9 in. along the rear lot line and a depth of 100 ft. It is proposed to use this structure (which is now occupied as a garage for less than five motor vehicles) as a garage for more than five motor vehicles. There is located—on the same plot—to the east of the garage a two-story frame dwelling; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board, report of which was read at this hearing; and

WHEREAS, this report recommended the granting of this application and the board deemed that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution—temporary hardship, and was, therefore, entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 for a period of two years from the date of this action, permitting the existing one-story garage building to be used as a garage for more than five motor vehicles *on condition* that the building shall not be extended in height or area; that no gasoline shall be sold on the premises nor stored, other than in the tanks of the cars; that there shall be no roof signs or other signs exhibited on the building; that no motor vehicle repairing shall be permitted on the premises; and that all permits shall be obtained within three months from the date of this action.

191-33-BZ.

APPLICANT—Arthur E. Allen, architect, for Jamaica Service Stations, Inc., lessee.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Sutphin boulevard, Lakewood to Shore avenues (Block No. 1144, Lot No. 12), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur E. Allen.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(191-33-BZ)

WHEREAS, this application affecting premises west side of Sutphin boulevard, Lakewood to Shore avenues (Block No. 1144, Lot No. 12), Jamaica, Borough of Queens, was granted by the board September 19, 1933, on certain conditions, amended January 26, 1934 and October 23, 1934, and lessee requests a further amendment.

Resolved, that the resolution adopted by the board on September 19, 1933, amended January 26, 1934, and further amended October 23, 1934, be and hereby is *amended* only so far as it refers to the distance of the gasoline pumps from the building line, so that as amended this portion of the resolution will read:

"That such gasoline pumps as are erected shall not be nearer than 10 ft. to the building line; that other than as amended herein, the resolutions adopted by the board shall be complied with in all respects."

3-34-BZ.

APPLICANT—William Shary, for Estate of Jonas Weil, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business district the use of a lot as access to an existing garage for more than five (5) motor vehicles, which is located in an unrestricted district.

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PREMISES AFFECTED—228-232 West 61st street and 229-235 West 60th street (Block No. 1152, Lot Nos. 13, 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(3-34-BZ)

WHEREAS, this application affecting premises 229-235 West 60th street and 228-232 West 61st street (Block No. 1152, Lot Nos. 13, 49, 50 and 51), Borough of Manhattan, was granted by the board April 17, 1934, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on April 17, 1934, be and it hereby is *amended*, only so far as it refers to the walls on the side lot lines, so that as amended this portion of the resolution shall read:

"That there shall be erected on the West 61st street building line and on the side lot lines where brick, stone or other approved masonry walls do not already exist, a substantial woven wire fence not less than 6 ft. in height; that other than as amended herein the resolution adopted April 17, 1934, shall be complied with in all other respects."

APPEALS FROM ADMINISTRATIVE ORDERS.

232-34-A.

APPELLANT—Lease Bros. Coachcraft, Inc., for William Buchanan, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Charles E. Bernstein.

For Administration: None.

ACTION OF BOARD—Laid over to December 26, 1934, at 2 p. m., for appellant to confer with the Department of Buildings.

280-34-A.

APPELLANT—Frigidaire Corporation, for Downtown Association, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—60 Pine street (Block No. 41, Lot 16), Borough of Manhattan.

APPEARANCES—

For Appellant: Robert Bryan.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(280-34-A)

WHEREAS, Frigidaire Corporation, for Downtown Association, lessee, filed October 4, 1934, an appeal from an order and a decision of the fire commissioner, affecting premises 60 Pine street (Block No. 41, Lot No. 16), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated July 5, 1934, re Order No. 3769-LC, reads:

"Before permit may be issued for your refrigerating plant, the following must be done:

1. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room in accordance with the requirements of section 220-2-D of chapter 10, Code of Ordinances.
2. Cut-off all elevator shafts leading into refrigerating machinery room, as per section 220-1-A of chapter 10, Code of Ordinances.
3. Make doors of dumbwaiter shaft where same enters refrigerating machinery room, fireproof and self-closing.

"It is unlawful to maintain a refrigerating plant without a permit. Please notify this department promptly when this order has been complied with.";

and

WHEREAS, the decision of the fire commissioner, dated September 19, 1934, reads:

"In reply to your communication of the 12th inst., relative to premises 60 Pine street, Manhattan, I desire to state that as these refrigerators are located in the stair hall, no modification can be granted.

"Before the permit can be issued, it will be necessary for your client to comply with the provisions of order numbered 3769-LC.";

and

WHEREAS, the building is non-fireproof, 6 stories in height, 75 ft. by 135 ft. in area; occupied as a private club house, total of 102 persons employed; and

WHEREAS, the appellant claims there are 15 individual refrigerating units in the building, containing from 7 to 18 pounds of refrigerant in each unit (Class C systems); 9 of which use F-12, located in the basement, 2d, 3d and 4th stories; there are 6 units with SO₂ refrigerant on the 5th story which will be arranged so as to comply with the requirements of the fire commissioner; the installations were made in 1930 and should be accepted on the basis of a letter signed by Peter C. Spence, dated February 3, 1931, a copy of which is attached and made a part hereof; paragraph 4 of the new fire department ruling is not retroactive; furthermore, under paragraph 15 the fire commissioner may inspect and pass prior installations if not located in a place of public assembly; the appellant contends that the location of refrigerators should not be classified as a stairhall, but in reality is a serving pantry three times as wide as the required stairhall; that adequate window ventilation is provided in each case; and there are no existing hazards on the premises.

Resolved, that the order of the fire commissioner, No. 3769-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the refrigerating machines using SO₂ as a refrigerant shall comply with the requirements of the fire chief and commissioner; that all refrigerators using F-12 as a refrigerant shall be located exclusively, where indicated on plans filed with this appeal, in sections or rooms of the building used for service only and that there shall be in such sections or rooms no open flames employed; that these areas shall be ventilated either by windows to the outer air or by approved mechanical system of ventilation; that all doors leading to elevators or other shafts and to other parts of the building shall be made close-fitting; and that all

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doors to the dumbwaiter shafts shall be counterbalanced and arranged with fusible link, so as to close automatically in case of fire.

88-33-A.

APPELLANT—Carroll Oil Terminals, Inc., lessee.

SUBJECT—Application for reopening—extension of time re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—North side of 2nd avenue, 2311.7 ft. north from the corner of 2nd avenue and 36th street (Block No. 662, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: Joseph F. Carroll.

For Administration: None.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(88-33-A)

WHEREAS, this appeal affecting premises north side of 2nd avenue, 2311.7 ft. north from the corner of 2nd avenue and 36th street (Block No. 662, part of Lot No. 1), Borough of Brooklyn, was granted by the board June 6, 1933, on certain conditions, time extended September 19, 1933 and May 29, 1934, and lessee requested a further extension.

Resolved, that the resolution adopted by the board on June 6, 1933, be and it hereby is *amended*, only so far as it refers to the last clause thereof, having reference to the completion of work, so that as amended this portion of the resolution will read:

"That in view of statement by the appellant's representative that all permits have been obtained, that all work shall be completed within nine months from the date of this amended resolution *on condition* that other than as amended herein, the resolution adopted on June 6, 1933, shall be complied with in all respects."

APPLIANCES SUBMITTED FOR APPROVAL.

300-34-SA.

PETITIONER—Sven A. Johnson, owner.

SUBJECT—Johnson Anti-Syphon Rotary Plunger Pump, approval of.

APPEARANCES—

For Petitioner: Frederick P. Morrill.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to Engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

311-34-SA.

PETITIONER—Ansonia Fire Prev. Eng. Co., Inc., for Petroleum Engineering Corp., owner.

SUBJECT—Evur-Ready Range Oil Burner, Models Leader, Standard and DeLuxe, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to Engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

313-34-SA.

PETITIONER—General Electric Company, owner; S. A. Durbin, agent.

SUBJECT—General Electric Oil Screen Valve (Anti-Syphon type), Model CR-7860-E1A, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to Engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

53-34-SA.

PETITIONER—Felix Braun, for Nemes & Gluck, owners.

SUBJECT—Automatic Airless Oil Burner—Model No. 1, approval of.

APPEARANCES—

For Petitioner: Felix Braun, Sol. Rosenberg, Bernard Gluck and Bernard Nemes.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of Board and Bureau of Combustibles, Fire Department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(53-34-SA)

WHEREAS, Felix Braun, for Nemes and Gluck, owners, filed February 23, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Automatic Airless Oil Burner Model No. 1; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is a heavy cored iron casting machined with a series of openings in its upper face. Into each opening is inserted a Lava burner disc, set in with a heat resisting cement. Suspended upon this burner is a generator made of seamless steel tubing, bent in the form of a long "U."

The oil is supplied to the burner from a 5-gallon welded 22 gauge steel can by means of a rotary pump and oil pressure container. The pump is driven by a Master Motor, $\frac{1}{4}$ H.P. The oil pressure container which is located between the pump and the burner, consists of a tubular brass casing having a base which may be mounted upon a stand.

In the interior of the cylinder there is a piston provided with packing rings. This piston is connected to a rod which extends upward to the upper end of the cylinder through a bearing. The oil is pumped from the storage container into this cylinder, which causes the piston to rise and when the set height of the piston is reached a contact is made with a limit switch which stops the action of the motor and pump. Attached to the piston are three weights totaling 72 pounds. The oil then in the cylinder is fed to the burner under 28 pounds pressure. To operate the burner, the generator tube is heated by gas and after five or six minutes heating the oil is turned on and the gas shut off.

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As the oil supply is consumed, the weights on the piston force it down, and when the piston has traveled a set distance, contact is again made with a limit switch which starts the motor, completing the cycle of operation. The boiler at this inspection was equipped with a diaphragm type pressure regulator made by the manufacturer of the burner, which, when 65 pounds pressure has been obtained on the boiler, reduces the volume of the flame to its secondary or low stage.

A permanently fixed drop bucket, a shut off device has been provided to shut off the flow of oil in case of failure of the flame.

It is recommended that this device be approved for use with fuel oil not heavier than No. 3 under the provisions of section 4 of the oil burner rules when installed in accordance with said rules and with the recommendations suggested which shall be incorporated in the instruction card which must be placed near the burner in each installation.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as Automatic Airless Oil Burner, Model No. 1, for commercial and industrial installations for use with range oil or fuel oil not heavier than No. 3, *on condition* that this device shall be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, as modified and supplemented by the following conditions:

1. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.
2. That the stand supporting the burner in the fire box of the boiler shall be securely bolted to the bottom thereof.
3. The oil supply container and pump to be mounted on a common base shall be firmly anchored to the floor and at a distance of at least 60 in. from the boiler in which the device is installed.
4. Only approved safety cans shall be used for the storage and filling of oil containers.
5. Floor beneath oil burner device shall be protected by a shield of at least $\frac{1}{2}$ inch asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the boiler in which the device is installed.
6. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 53-34-SA.

For Use in New York City.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

7. That the tank shall be set rigidly in a cup shaped base receptacle of sufficient capacity to contain $\frac{1}{3}$ the contents of the tank in case of leakage.
8. That the device shall be connected by a suitable flue pipe to a legal chimney or to the outer air, this flue to be provided with a suitable stack check to nullify down draft.
9. That the boiler and fire box shall be surrounded by a suitable fire retarded or metal shield extending at least 12 in. beyond the outline of the boiler to the height of the top thereof. This shield shall be set firmly on the fire retarded floor and may be open at the bottom for a distance of 8 in. above the floor, except for 4 metal supports, the open portion to be protected by galvanized wire screen $\frac{1}{4}$ in. mesh.

10. The storage of oil shall be limited to not more than 2 five gallon safety cans in reserve unless the installation is made in complete conformity with the oil burner rules.

11. The board reserves the right to add additional requirements if and when such additional requirements are deemed necessary.

294-34-SA.

PETITIONER—Ansonia Fire Prevention Eng. Co., Inc., for N. Dickstein Co., Inc., owner.

SUBJECT—Prestomatic Oil Burner, approval of.

APPEARANCES—

For Petitioner: Herman E. Horwood and Abraham Koppelman.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of Board and Bureau of Combustibles, Fire Department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(294-34-SA)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for N. Dickstein Co., Inc., owner, filed October 18, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Prestomatic Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is designed for use in tailor shop pressing boiler machines and the assembly consists of the following:

A burner unit; stainless steel generator tube; Holtzer Cabot 1/20 H.P. motor; Hanson gear pump; Hanson pressure regulator and steam control valve and a 6-gal. steel tank, which has been approved by the National Board of Fire Underwriters. The piping used to connect the various parts is extra heavy copper tubing protected by BX cable and iron conduit piping.

Control—The Stack control manufactured especially for this type of burner by the Penn Electric Company. The burner unit consists of a circular iron casting, perforated with holes on the top which holes are fitted with lava burner tips. Suspended above the burner casting is a long "U" shaped generator tube which is connected directly to the oil supply line and is used for vaporizing the oil. Connected to the burner by rigid iron piping is a gas connection and cock.

When the burner is started the gas flame is ignited and when the heat in the stack is raised sufficiently high, the circuit is closed and the motor and pump begin to operate, supplying the oil to the burner. The gas is then shut off and the burner works automatically. When the steam pressure reaches a certain prescribed limit, namely 60 pounds, the Hanson regulating valve decreases the supply of oil and the burner operates on a low flame until the pressure has fallen to 45 pounds, when the Hanson valve again permits a full flow of oil to the burner.

The stack control is so timed that if a break in the line occurs, it will shut down the operation of the motor and pump within 30 to 70 seconds. The operation of this stack control was tested twice by disconnecting the oil supply line at the shut off valve be-

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tween the discharge side of the pump and the burner. On both occasions, the burner was shut down in 30 and 65 seconds respectively.

The quantity of oil delivered through the break in the line was reassured and was found on no occasion to exceed approximately one-half pint. The floor underneath the boiler and burner was protected by two iron plates having a layer of $\frac{1}{4}$ in. asbestos between them and extending beyond the horizontal outline of the boiler. As a further protection, a fine mesh galvanized iron wire screen completely encloses the open spaces about the bottom of the boiler.

As a result of our inspection and test of this burner, it is recommended that this burner be approved for industrial and commercial use for oil not heavier than No. 3, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, and in accordance with the recommendations suggested which shall be incorporated in the instruction card which must be placed near the burner in each installation.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Prestomatic Oil Burner, for commercial and industrial installations for use with range oil or fuel oil not heavier than No. 3, *on condition* that this device shall be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, as modified and supplemented by the following conditions:

1. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floor or walls with non-combustible fastenings as per Rule 7, 1A and 1B.
2. That the stand supporting the burner in the fire box of the boiler shall be securely bolted to the bottom thereof.
3. The oil supply container and pump to be mounted on a common base shall be firmly anchored to the floor and at a distance of at least 60 in. from the boiler in which the device is installed.
4. Only approved safety cans shall be used for the storage and filling of oil containers.

5. Floor beneath oil burner device shall be protected by a shield of at least $\frac{1}{2}$ in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the boiler in which the device is installed.
6. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved by the

BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 294-34-SA.

For Use in New York City.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

7. That the tank shall be set rigidly in a cup shaped base receptacle of sufficient capacity to contain $\frac{1}{3}$ the contents of the tank in case of leakage.
8. That the device shall be connected by a suitable flue pipe to a legal chimney or to the outer air, this flue to be provided with a suitable stack check to nullify down draft.
9. That the boiler and fire box shall be surrounded by a suitable fire retarded or metal shield extending at least 12 in. beyond the outline of the boiler to the height of the top thereof. This shield shall be set firmly on the fire retarded floor and may be open at the bottom for a distance of 8 in. above the floor, except for 4 metal supports, the open portion to be protected by galvanized wire screen $\frac{1}{4}$ in. mesh.
10. The storage of oil shall be limited to not more than 2 five gallon safety cans in reserve unless the installation is made in complete conformity with the oil burner rules.
11. The board reserves the right to add additional requirements if and when such additional requirements are deemed necessary.

Adjourned, 3:45 p. m.

EDWARD V. BARTON, Chief Clerk.

FUEL OIL PUMPS

Approved by the Board of Standards and Appeals

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex.....	638-25-SA	Leiman Rotary	95-24-SA
American Marsh Simplex.....	639-25-SA	Marsh Fuel Oil Pump.....	1050-23-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
Autopulse Electric Oil Pump Outfit, Model		M. D. Rotary.....	52-27-SA
No. 1000	9-32-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
Ballard Duplex Electric Driven Pump Set...	1413-22-SA	Monroe Oil Pump.....	658-26-SA
Beach Russ Co. Rotary.....	1134-22-SA	Northern Rotary	1396-24-SA
Blackmer Rotary	935-24-SA	Pascoe Pump Set.....	1029-26-SA
Blake & Knowles Horizontal Simplex Piston		Petro-Nokol Industrial Oil Pump.....	570-32-SA
Pattern Pump	372-21-SA	Quiet May Gerotor Pump.....	267-32-SA
Century Rotary	908-21-SA	Quimby Screw Pump.....	1193-21-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump.....	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump.....	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Tate-Jones	492-21-SA
Enterprise Oil Pump.....	11-28-SA	Teesdale Automatic Booster Fuel Oil Pump.	1279-25-SA
Exeter Rotary	507-22-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Fuel Oil Pump, Models L and LD...	568-30-SA
Goulds Hand Rotary.....	1133-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Viking	438-21-SA
Goulds Triplex Plunger.....	257-22-SA	Warren Oil Pump.....	1169-23-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Webster Fuel Oil Pump, Type A.....	23-34-SA
Koerting Gear Pump.....	1264-25-SA	Worthington Duplex Double-Acting Steam	
Kraissl Fuel Oil Pump.....	60-28-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

RULES

COVERING THE DESIGN OF REINFORCED CONCRETE FLAT SLABS.

Adopted by the Board of Standards and Appeals, July 8, 1920, under Cal. 395-20-S.

Rule 1. Application. The rules governing the design of reinforced concrete flat slabs shall apply to such floors and roofs consisting of three or more rows of slabs, without beams or girders, supported on columns, the construction being continuous over the columns and forming with them a monolithic structure.

Rule 2. Compliance with Building Code. In the design of reinforced concrete flat slabs, the provisions of article 16 of the building code shall govern with respect to such matters as are specified therein.

Rule 3. Assumptions. In calculations for the strength of reinforced concrete flat slabs, the following assumptions shall be made:

(a) A plane section before bending remains plane after bending;

(b) The modulus of elasticity of concrete in compression within the allowable working stresses is constant;

(c) The adhesion between concrete and reinforcement is perfect;

(d) The tensile strength of concrete is nil;

(e) Initial stress in the reinforcement due to contraction or expansion in the concrete is negligible.

Rule 4. Stresses. (a) The allowable unit shear in reinforced concrete flat slabs on the bd section around the perimeter of the column capital shall not exceed one hundred twenty (120) pounds per square inch; and the allowable unit shearing stress on the bjd section around the perimeter of the drop shall not exceed sixty (60) pounds per square inch, provided that the reinforcement is so arranged or anchored that the stress may be fully developed for both positive and negative moments.

(b) The extreme fibre stress to be used in concrete in compression at the column head section shall not exceed seven hundred fifty (750) pounds per square inch.

Rule 5. Columns. For columns supporting reinforced concrete flat slabs, the least dimension of any column shall be not less than one-fifteenth ($1/15$) of the average span of any slabs supported by the columns; but in no case shall such least dimension of any interior column supporting a floor or roof be less than sixteen (16) inches when round nor fourteen (14) inches when square; nor shall the least dimension of any exterior column be less than fourteen (14) inches.

Rule 6. Column Capital. Every reinforced concrete column supporting a flat slab shall be provided with a capital whose diameter is not less than 0.225 of the average span of any slabs supported by it. Such diameter shall be measured where the vertical thickness of the capital is at least one and one-half ($1\frac{1}{2}$) inches, and shall be the diameter of the inscribed circle in that horizontal plane. The slope of the capital considered effective below the point where its diameter is measured shall nowhere make an angle with the vertical of more than forty-five (45) degrees. In case a cap of less dimensions than hereinafter described as a drop, is placed above the column capital, the part of this cap enclosed within the lines of the column capital extended upward to the bottom of the slab or drop at the slope of forty-five (45) degrees may be considered as part of the column capital in determining the diameter for design purposes.

Rule 7. Drop. When a reinforced concrete flat slab is thicker in that portion adjacent to or surrounding the column, the thickened portion shall be known as a drop. The width of such drop when used, shall be determined by the shearing stress in the slab around the perimeter of the drop, but in no case shall the width be less than 0.33 of the average span of any slabs of which it forms a part. In computing the thickness of drop required by the negative moment on the column head section, the width of the drop only shall be considered as effective in resisting the compressive stress, but in no case shall the thickness of such drops be less than 0.33 of the thickness of the slab. Where drops are used over interior columns,

corresponding drops shall be employed over exterior columns and shall extend to the one-sixth ($1/6$) point of the panel from the center of the column.

Rule 8. Slab Thickness. The thickness of a reinforced concrete flat slab shall be not less than that derived by the formulae $t = 0.024 L \sqrt{w + 1\frac{1}{2}}$ for slabs without drops, and $t = 0.02 L \sqrt{w + 1}$ for slabs with drops, in which t is the thickness of the slab in inches, L is the average span of the slab in feet, and w is the total live and dead load in pounds per square foot; but in no case shall this thickness be less than one-thirty-second ($1/32$) of the average span of the slab for floors, nor less than one-fortieth ($1/40$) of the average span of the slab for roofs, nor less than six (6) inches for floors nor less than five (5) inches for roofs.

Rule 9. Reinforcement. (a) in the calculation of moments at any section, all the reinforcing bars which cross that section may be used, provided that such bars extend far enough on each side of such section to develop the full amount of the stress at that section. The effective area of the reinforcement at any moment section shall be the sectional area of the bars crossing such section multiplied by the sine of the angle of such bars with the plane of the section. The distribution of the reinforcement of the several bands shall be arranged to fully provide for the intermediate moments at any section.

(b) Splices in bars may be made wherever convenient but are preferably at points of minimum stress. The length of any splice shall be not less than eighty (80) bar diameters and in no case less than two (2) feet. The splicing of adjacent bars shall be avoided as far as possible. Slab bars which are lapped over the column, the sectional area of both being included in the calculation for negative moment, shall extend to the lines of inflection beyond the column center.

(c) When the reinforcement is arranged in bands, at least fifty (50) per cent of the bars in any band shall be of a length not less than the distance center to center of columns measured rectangulary and diagonally; on bars used as positive reinforcement shall be of a length less than half ($1/2$) the panel length plus forty (40) bar diameters for cross bands, or less than seven-tenths ($7/10$) of the panel length plus forty (40) bar diameters for diagonal bands and no bars used as negative reinforcement shall be of a length less than half ($1/2$) the panel length. All reinforcement framing perpendicular to the wall in exterior panels shall extend to the outer edge of the panel and shall be hooked or otherwise anchored.

(d) Adequate means shall be provided for properly maintaining all slab reinforcement in the position assumed by the computations.

Rule 10. Line of Inflection. In the design of reinforced concrete flat slab construction, for the purpose of making calculations of the bending moments at sections other than defined in these rules, the line of inflection shall be considered as being located one-quarter ($1/4$) the distance, center to center, of columns, rectangulary and diagonally, from center of columns for panels without drops, and three-tenths ($3/10$) of such distance for panels with drops.

Rule 11. Moment Sections. For the purpose of design of reinforced concrete flat slabs, that portion of the section across a panel, along a line midway between columns, which lies within the middle two quarters of the width of the panel shall be known as the inner section, and those portions of the section in the two outer quarters of the width of the panel shall be known as the outer sections. Of the section which follows a panel edge from column to column and which includes the quarter perimeters of the edges of the column capitals, that portion within the middle two quarters of the panel width shall be known as the mid section and the two remaining portions, each having a projected width equal to one-quarter

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of the panel width, shall be known as the column head sections.

Rule 12. Bending Moments. In the design of reinforced concrete flat slabs the following provisions with respect to bending moments shall be observed. In the moment expressions used:

W is the total dead and live load on the panel under consideration, including the weight of drop whether a square, rectangle or parallelogram;

W_1 is the total live load on the panel under consideration;

L is the length of side of a square panel center to center of columns; or the average span of a rectangular panel which is the mean length of the two sides;

n is the ratio of the greater to the less dimension of the panel;

h is the unsupported length of a column in inches, measured from top of slab to base of capital;

I is the moment of inertia of the reinforced concrete column section.

A. Interior Square Panels. The numerical sum of the positive and negative moments shall be not less than $1/17 W L$. A variation of plus or minus five (5) per cent shall be permitted in the expression for the moment on any section, but in no case shall the sum of the negative moments be less than sixty-six (66) per cent of the total moment, nor the sum of the positive moments be less than thirty-four (34) per cent of the total moment for slabs with drops; nor shall the sum of the negative moments be less than sixty (60) per cent of the total moment, nor the sum of the positive moments be less than forty (40) per cent of the total moment for slabs without drops.

1. In *two-way systems*, for slabs with drops, the negative moment resisted on two column head sections shall be $-1/32 W L$; the negative moment on the mid section shall be $-1/133 W L$; the positive moment on the two outer sections shall be $+1/80 W L$ and the positive moment on the inner section shall be $+1/133 W L$; and for slabs without drops, the negative moment resisted on two column head sections shall be $-1/36 W L$, the negative moment on the mid section shall be $-1/133 W L$, the positive moment on the two outer sections shall be $+1/63 W L$ and the positive moment on the inner section shall be $+1/133 W L$.

2. In *four-way systems*, the negative moments shall be as specified for Two-Way Systems; the positive moment on the two outer sections shall be $+1/100 W L$ and the positive moment on the inner section shall be $+1/100 W L$ for slabs with drops; and the positive moment on the two outer sections shall be $+1/174 W L$, and the positive moment on the inner section shall be $+1/100 W L$, for slabs without drops.

3. In *three-way systems*, the negative moment on the column head and mid sections and the positive moment on the two outer sections, shall be as specified for Four-Way Systems. In the expression for the bending moments on the various sections, the length L shall be assumed as the distance center to center of columns and the load W as the load on the parallelogram panel.

B. Interior Rectangular Panels.

1. When the ratio n does not exceed 1.1, all computations shall be based on a square panel of a length equal to the average span, and the reinforcement shall be equally distributed in the short and long directions according to the bending moment coefficients specified for interior square panels.

2. When the ratio n lies between 1.1 and 1.33, the bending moment coefficients specified for interior square panels shall be applied in the following manner:

(a) In *two-way systems*, the negative moments on the two column head sections and the mid section and the positive moment on the two outer sections and the inner section at right angles to the long direction shall be determined as for a square panel of a length equal to

the greater dimensions of the rectangular panel; and the corresponding moments on the sections at right angles to the short direction shall be determined as for a square panel of a length equal to the lesser dimensions of the rectangular panel. In no case shall the amount of reinforcement in the short direction be less than two-thirds ($2/3$) of that in the long direction. The load W shall be taken as the load on the rectangular panel under consideration.

(b) In *four-way systems*, for the rectangular bands, the negative moment of the column head sections and the positive moment on the outer sections shall be determined in the same manner as indicated for *two-way systems*.

For the diagonal bands the negative moments on the column head and mid sections and the positive moment on the inner section shall be determined as for a square panel of a length equal to the average span of the rectangle. The load W shall be taken as the load on the rectangular panel under consideration.

(c) In *three-way systems*, the negative and positive moments on the bands running parallel to the long direction shall be determined as for a square whose side is equal to the greater dimension; and the moments on the bands running parallel to the short direction shall be determined as for a square whose side is equal to the lesser dimension. The load W shall be taken as the load on the parallelogram panel under consideration.

C. Exterior Panels. The negative moments at the first interior row of columns and the positive moments at the center of the exterior panels on moment sections parallel to the wall, shall be increased twenty (20) per cent over those specified above for interior panels. The negative moment on moment sections at the wall and parallel thereto shall be determined by the conditions of restraint, but the negative moment on the mid section shall never be considered less than fifty (50) per cent and the negative moment on the column head section never less than eighty (80) per cent of the corresponding moments at the first interior row of columns.

D. Interior Columns shall be designed for the bending moments developed by unequally loaded panels, eccentric loading or uneven spacing of columns. The bending moment resulting from unequally loaded panels shall be considered as $1/40 W_1 L$, and shall be resisted by the columns immediately above and below the floor line under consideration in direct proportion to the values of their ratios of I/h .

E. Wall Columns shall be designed to resist bending in the same manner as interior columns, except that W shall be substituted for W_1 in the formula for the moment. The moment so computed may be reduced by the counter moment of the weight of the structure which projects beyond the center line of the wall columns.

F. Roof Columns shall be designed to resist the total moment resulting from unequally loaded panels, as expressed by the formulae in paragraphs (D) and (E) of this rule.

Rule 13. Walls and Openings. In the design and construction of reinforced concrete flat slabs, additional slab thickness, girders or beams shall be provided to carry any walls or concentrated loads in addition to the specified uniform live and dead loads. Such girders or beams shall be assumed to carry twenty (20) per cent of the total live and dead panel load in addition to the wall load. Beams shall also be provided in case openings in the floor reduce the working strength of the slab below the prescribed carrying capacity.

Rule 14. Special Panels. For structures having a width of less than three (3) rows of slabs, or in which exterior drops, capitals or columns are omitted, or in which irregular or special panels are used, and for which the rules relating to the design of reinforced flat slabs do not directly apply, the computations in the analysis of the design of such panels, shall, when so required, be filed with the commissioner of buildings.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.

328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.

19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.

20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.

21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.

22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

Appliances Submitted for Approval.

1249-22-SA—Coen Steam Atomizing Oil Burner.
628-23-SA—Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15.

259-25-SA—Electrol Automatic Oil Burner, Models "C" and "EA".

443-26-SA—American Anti-Syphon Valve.

380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".

359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.

32-31-SA—Ray-Dio Sunshine Range Oil Burner.

491-31-SA—Superfex Oil Burning Heater.

209-32-SA—Crocker 4-inch Siamese.

237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.

286-32-SA—Hubbard Silent Electric Oil Burner.

528-32-SA—Weldon Extinguisher.

592-32-SA—The Ameroil Range Burners.

23-33-SA—Sunrex Range Oil Burner.

62-33-SA—Florence Oil Heater, Models GC-6, GC-7, GS-27 and CH-28.

98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.

126-33-SA—Tower Range Oil Burner.

162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.

164-33-SA—Firemaster Fire Extinguisher.

218-33-SA—Presto Gas Pressing Machine Burner No. 10.

271-33-SA—Perfect-Pantex Oil Burner.

349-33-SA—Herco Oil Burner.

32-34-SA—Super Oil Burner for Pressing Machine.

92-34-SA—Autocall Interior Fire Alarm Signal Systems.

125-34-SA—American Oil Burner.

128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).

155-34-SA—Midget Oil Burner.

156-34-SA—Allen's Siamese Connections for Fire Department use.

165-34-SA—Rose Oil Heater.

183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.

203-34-SA—King Oil Burner.

205-34-SA—Automatic Firetox Extinguisher.

208-34-SA—Globe Oil Burner Pump.

221-34-SA—The Ohio Pattern Works Foundry Co. Curb Fill Box (Gasoline).

224-34-SA—Progressive Press Machine Oil Burner.

234-34-SA—Bland Range Oil Burner.

236-34-SA—Air-O-Flame Range Burners.

256-34-SA—"Standard" One-Piece Closet Combination.

263-34-SA—Lonergan Oil Burning Heater, Models F-2, F-3 and C-4.

270-34-SA—Zenith Oil Burner

274-34-SA—B. & H. Radiant Stove Oil Burner.

275-34-SA—Vapomatic Oil Burner.

291-34-SA—Champion Range Oil Burner and Pump, Models A, DeLuxe and Waco.

300-34-SA—Johnson Anti-Syphon Rotary Plunger Pump.

301-34-SM—"Radbur" Flameproofing Compound.

302-34-SA—Loyalty Range Burner.

304-34-SA—Quick Meal Range Burner.

305-34-SA—Quick Meal Water Heater, Model 5681-0.

306-34-SA—Quick Meal Space Heaters, Models 5672-0, 5671-13, 5671-33 and 5671-35.

308-34-SA—"Blue Glow" Range Oil Burner, Models Supreme and DeLuxe.

309-34-SA—Hupp Range Oil Burner, Models S.D. and C.D.

311-34-SA—Evur-Ready Range Oil Burner, Models Leader, Standard and De Luxe.

313-34-SA—General Electric Oil Screen Valve (Anti-Syphon Type), Model CR-7860-E1A.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
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		Rules disapproved, rescinded or withdrawn.....	0
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Requests to amend.....	91	Requests to reopen denied.....	21
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Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	58	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	12	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	58
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total.....	1,085	Requests for extension of permit granted.....	12
Disposed of.....	892	Requests for extension of permit denied.....	0
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		Requests to install denied.....	0
		Plans approved	12
		Plans disapproved	0
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		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	14
		Total.....	892

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Notices in Building Zone Cases.

The Trial Calendar.

Minutes of Regular Meeting, December 4, 1934, at 10 A. M.

Minutes of Regular Meeting, December 4, 1934, at 2 P. M.

Factory Exit Rules.

Smoking in Factory, Rules.

Fire Retarding Rules for Garages, etc.

Reserve Calendar.

Approved Fireline Hose Valves.

Progress Report.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, December 10, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, December 17, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to December 5, 1934.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
340-34-BZ.....	D.B.Bx....	Newell st., W.S., 72 ft. 5 in. south of Gunhill road (Block 3358, Lot 1), The Bronx. Decision.
339-34-SA.....	F.D.....	Kerogas Hot Blast Oil Heaters, Nos. 210, 135, 110, 207, 115 and Kerogas Duplex Oil Heaters, Nos. 611, 621, 622A, 623. Appliance.
338-34-A.....	D.B.M....	2212-2224 3d ave., 192-198 East 121st st., and 173 East 120th st., S.W. cor. 3d ave., and East 121st st. (Block 1769, Lot 36), Manhattan. 14598-F.
337-34-BZ.....	D.B.B.....	1-7 Blake ave., and 123-133 East 98th st., N.E. cor. (Block 3531, Lots 1 and 47), Brooklyn. Applic. 1297-34.
336-34-A.....	F.D.....	274 Clove road (Block 215, Lot 46), West Brighton, Richmond. Decision.
335-34-BZ.....	D.B.B.....	1704-1712 Linden blvd., S.W. cor. Van Sinderen ave. (Block 3872, Lot 32), Brooklyn. Applic. 15943-34.

Restored to Calendar.

159-33-A.....	F.D.....	653 First ave. (Block 943, Lot 30, Manhattan. 77031-LC and Decision.
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CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

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Paint, Varnish and Lacquer Spray- ing Rules.....	Nov.	27, 1934—Vol. 19 No. 48
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Refrigerating Systems, Extract C. O.	Nov.	20, 1934—Vol. 19 No. 47
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Structural Alterations, Reporting.....	June	7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr.	10, 1923—Vol. 8 No. 15

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CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 10, 1934, AT 2 P. M.

Building Zone Cases.

264-34-BZ.

APPLICANT—William C. Goodson, for Bartholdi Turecarno, owner.
PREMISES—8412 Ridge boulevard (Block No. 6023, Lot No. 39), Borough of Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence use and "F" area district the erection and maintenance of a private garage within fifteen (15) feet of the building line.

231-34-BZ.

APPLICANT—Samuel M. Rivelson, for Constantinos Demetrookas, Inc., owner.
PREMISES—9402-9404 Church avenue, southeast corner of East 94th street (Block No. 4715, Lot No. 36), Borough of Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

297-34-BZ.

APPLICANT—Jack Fein, for Enmor Realty Corporation, owner.
PREMISES—2705-2715 Nostrand avenue, east side, 360 ft. north of Avenue N (Block No. 7666, Lot No. 25), Borough of Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

320-34-BZ.

APPLICANT—Allmendinger & Schlendorf, for Werst Realty Co., owner.
PREMISES—71-39 to 71-49 Cooper avenue and 71-54 to 71-66 72nd street, northwest corner (Block No. 3688, Lot No. 38), Glendale, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT partly in a business district and partly in a residence district the change of occupancy of an existing building to a business use (funeral home).

816-24-BZ.

APPLICANT—Eugene De Rosa, for National Council of Congregational Churches, owner.

CALENDAR

PREMISES—799-805 Washington avenue, southeast corner of Lincoln place (Block No. 1180, Lot No. 6), Borough of Brooklyn.

APPLICATION, under sections 7a and 7c of the building zone resolution (reopened July 17, 1934),

TO PERMIT in a residence district, the alteration, extension and change of occupancy of a building now occupied as a public market and stores (granted by the board October 3, 1924) to its original occupancy of motion picture theatre and stores.

DECEMBER 11, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 11, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 354-32-BZ—Application of Samuel Oliphant, on behalf of Charles A. McKeon, lessee, reopened November 20, 1934, under section 21 of the building zone resolution, for consideration of extension of permit—re Application, granted on certain conditions, permitting in a business district the maintenance of parking space for more than five (5) motor vehicles; premises 598 Flatbush avenue, west side, 176 ft. 7¼ in. north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn.

CAL. NO. 243-34-BZ—Application, August 20, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of A. R. Olson Bldg. Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2909-2917 86th street and 525-535 Van Sicklen street, northeast corner (Block No. 7169, Lot No. 28), Borough of Brooklyn.

CAL. NO. 267-34-BZ—Application, September 24, 1934, under section 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Rosa B. R. Heintz and Jacob Siegal, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises east side of Jerome avenue, 160.8 ft. north of East 213th street (Block No. 3329, Lot No. 92), Borough of the Bronx.

CAL. NO. 269-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Marcus Cohn, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Woodhaven boulevard and 162nd avenue (Block No. 4040, Lot No. 87), Aqueduct, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 11, 1934, 2 P. M.

Appeals from Administrative Orders.

245-34-A—West side of Vernon boulevard, 90 ft. north of 43d avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

159-33-A—653 First avenue (Block No. 943, Lot No. 30), Manhattan.

Petition for Variation.

286-34-S—12 Gratton street (Block No. 3102, Lot No. 11), Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 11, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 238-34-BZ—Application, August 15, 1934, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of David F. Walsh, owner, to permit in a residence district the erection and maintenance of a gasoline service station; premises 480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

CAL. NO. 258-34-BZ—Application, October 15, 1934, under section 21 of the building zone resolution, of J. M. Felson, applicant, on behalf of 2230 Grand Concourse Corp., owner, to permit in a residence district the erection and maintenance of a building to be used in part for business purposes (stores); premises northeast corner of East 182nd street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx.

CAL. NO. 207-34-BZ—Application, July 12, 1934, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Anna Shattan, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 97 Steuben street, northeast corner of Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

CAL. NO. 195-34-BZ—Application, July 2, 1934, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Hattie M. Marks, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

CAL. NO. 261-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of Wood & Marshall, applicants, on behalf of Samuel H. Baylis and

CALENDAR

Sheldon F. Baylis, owners, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles; premises 93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

CAL. NO. 272-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Benjamin Millstein, applicant, on behalf of John J. Tully, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

281-34-BZ.

APPLICANT—John M. Baker, for Astoria Riker Corporation, owner.

PREMISES—Southeast corner of Astoria boulevard and (proposed) 77th street (Block No. 1030, part of Lot No. 40), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

296-34-BZ.

APPLICANT—Eugene De Rosa, for 1934 Realty Corp., owner.

PREMISES—South side of East Mount Eden avenue, entire block from Townsend avenue to Walton avenue (Block No. 2845, Lot Nos. 34 and 56), Borough of The Bronx.

APPLICATION, under section 7c of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of an extension to an existing building—to be used as a theatre.

116-30-BZ.

APPLICANT—William Shary, for Samuel Rubin & Son, Inc., owner.

PREMISES—1401 Grand Concourse, southwest corner of East 170th street (Block No. 2842, Lot No. 59), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened November 7, 1934).

TO PERMIT in a residence district the alteration and conversion of occupancy of part of basement and first story of an existing apartment house from dwelling to business use (stores); (previously withdrawn).

DECEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-

ards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 18, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 253-34-BZ—Application, August 30, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of S.P.R. Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises west side of Westchester avenue, from Doris street to Glover street (Block No. 3965, Lot Nos. 35 to 40), Borough of The Bronx.

CAL. NO. 287-34-BZ—Application, October 1, 1934, under section 21 of the building zone resolution, of Howard Kelly, applicant, on behalf of Mutual Life Insurance Company, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1401-1409 College avenue, northwest corner of East 170th street (Block No. 2786, part of Lot Nos. 2 and 29), Borough of The Bronx.

CAL. NO. 290-34-BZ—Application, October 10, 1934, under section 21 of the building zone resolution, of Levy and Berger, applicants, on behalf of 291 Greenwich Street Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1611-1619 Eastern boulevard, northwest corner of Morrison avenue (Block No. 3718, Lot No. 1), Borough of The Bronx.

CAL. NO. 292-34-BZ—Application, October 16, 1934, under section 21 of the building zone resolution, of John Palmeri, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 147-02 to 147-12 90th avenue, southeast corner of Sutphin boulevard (Block No. 780, Lot No. 16), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 18, 1934, 2 P. M.

Appeal from Administrative Order.

216-34-A—52-64 Warren street (Block No. 303, Lot No. 1), Brooklyn.

Appliances Submitted for Approval.

88-34-SA—Bettendorf Automatic Oil Burners, Models D, G and F.

329-34-SA—Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275.

333-34-SA—Viking Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 18, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which

CALENDAR

have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 500-28-BZ—Application of William Shary, applicant, for Charles Zenker, present owner, reopened October 2, 1934, under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station; premises 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

CAL. NO. 262-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of James Whitford, applicant, on behalf of Oscar A. Johnsen, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1111 Forest avenue, northwest corner of Greenleaf avenue (Block No. 235, part of Lot No. 47), West New Brighton, Borough of Richmond.

CAL. NO. 268-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Herman M. Seldin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

CAL. NO. 118-30-BZ—Application, February 14, 1930, under section 21 of the building zone resolution; denied July 1, 1930; reopened September 11, 1934, under section 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Sadye Hydecker, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2700-2706 Eastchester road and 1501-1509 Allerton avenue, northeast corner (Block No. 4534, Lot No. 12), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

1148-27-BZ.

APPLICANT—Saul Goldsmith, for Kaufbel Realty Corp., owner.

PREMISES—1146-1152 Atlantic avenue, southeast corner of Franklin avenue (Block No. 1199, Lot No. 8), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened May 29, 1934),

TO PERMIT in a business district the change of occupancy of an existing building (now part of a gasoline service station previously granted by the board) to a motor vehicle repair shop.

662-26-BZ.

APPLICANT—Charles Richel, for Sarah Richel, owner.

PREMISES—3504-3510 Boston road, southeast corner of Eastchester road (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened July 3, 1934),

TO PERMIT in a business district the maintenance of a gasoline service station (previously granted by the board for a temporary period—the temporary period has elapsed).

619-31-BZ.

APPLICANT—James Kearney, for Estate of Israel Miller, owner.

PREMISES—148-16 to 148-26 111th avenue, southwest corner of Sutphin boulevard (Block No. 2745, Lot No. 26), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened May 8, 1934),

TO PERMIT partly in a business district and partly in a residence district the maintenance and extension of a gasoline service station previously granted by the board for a temporary period.

332-34-BZ.

APPLICANT—Joseph V. O'Leary, for Spes Realty Corporation, owner.

PREMISES—1108-1112 First avenue, southeast corner of East 61st street (Block No. 1455, Lot Nos. 46, 48 and west part of Lot No. 42), Borough of Manhattan.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

DECEMBER 26, 1934, 2 P. M.

Appeal from Administrative Order.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, DECEMBER 4, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, November 27, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, November 27, 1934, were approved as printed in Bulletin No. 49, Vol. XIX.

BUILDING ZONE CASES.

262-34-BZ.

APPLICANT—James Whitford, for Oscar A. Johnsen, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1111 Forest avenue, northwest corner of Greenleaf avenue (Block No. 235, part of Lot No. 47), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: James Whitford.

For Opposition: H. E. Gibbs.

ACTION OF BOARD—Laid over to December 18, 1934, at 2 p. m., for report of committee on inspection. No further argument.

268-34-BZ.

APPLICANT—Samuels & Samuels, for Herman M. Seldin, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the

erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels and Bert C. Schaefer.

For Opposition: John H. Thomsen and S. J. Jarema.

ACTION OF BOARD—Laid over to December 18, 1934, at 2 p. m., for report of committee on inspection. No further argument.

118-30-BZ.

APPLICANT—Samuels & Samuels, for Sadye Hydecker, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously denied under section 21, reopened September 11, 1934).

PREMISES AFFECTED—Northeast corner of Allerton avenue and Eastchester road (Block No. 4534, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Kathleen LeClair and George Kossoy.

ACTION OF BOARD—Laid over to December 18, 1934, at 2 p. m., for report of committee on inspection. No further argument.

Adjourned, 12:20 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 4, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

207-34-BZ.

APPLICANT—Herman Kron, for Anna Shattan, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Steuben street and Beverly road (Block No. 3233, part of Lot No. 1), Grasmere, Borough of Richmond.

APPEARANCES—

For Applicant: None.

For Opposition: None.

For Administration: Chief Clerk James Nolan.

ACTION OF BOARD—Laid over to December 11, 1934, at 2 p. m., for report of committee on inspection. No further argument.

195-34-BZ.

APPLICANT—William F. Regan, for Hattie M. Marks, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Regan and Thomas O'Rourke Gallagher.

For Opposition: Gaston Koch and Frank A. Byrne.

ACTION OF BOARD—Laid over to December 11, 1934, at 2 p. m., for report of committee on inspection.

MINUTES

261-34-BZ.

APPLICANT—Wood & Marshall, for Samuel H. Baylis and Sheldon F. Baylis, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles.

PREMISES AFFECTED—93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to December 11, 1934, at 2 p. m., for report of committee on inspection. No further argument.

272-34-BZ.

APPLICANT—Benjamin Millstein, for John J. Tully, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin Millstein.

For Opposition: Frederick C. Thomson and Lew. F. Walter.

ACTION OF BOARD—Laid over to December 11, 1934, at 2 p. m., for report of committee on inspection. No further argument.

276-33-BZ.

APPLICANT—James P. Boyland, for William Jay Building Corp., owner.

SUBJECT—Restoration to Calendar—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of part of an existing apartment house from dwelling to business use.

PREMISES AFFECTED—Northeast corner of Grand Concourse and East 203d street (Block No. 3309, Lot No. 42), Borough of The Bronx.

APPEARANCES—

For Applicant: Oliver E. Davis.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

187-34-BZ.

APPLICANT—Welcourt Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy from residence to a business (store) use.

PREMISES AFFECTED—344 Lexington avenue (Block No. 895, Lot No. 74), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

1024-27-BZ.

APPLICANT—I. L. Crausman, for 174th St. & Jerome Ave. Realty Corp., owner.

SUBJECT—Application for Amendment to permit an alcove gasoline service station (re Application—decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles (previously granted).

PREMISES AFFECTED—1650-1664 Jerome avenue and 1-9 East 174th street, northeast corner (Block No. 2848, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(1024-27-BZ)

WHEREAS, this application, affecting premises northeast corner of 174th street and Jerome avenue (Block No. 2848, Lot No. 1), Borough of The Bronx, was reopened by the board on May 22, 1934, for consideration of an amendment of the resolution to permit an alcove gasoline service station; and

WHEREAS, although the applicant was notified to complete his papers, he failed to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

378-33-BZ.

APPLICANT—Rubinstein & Rosling, for Kings Brewery, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building). (Restored to Calendar October 23, 1934.)

PREMISES AFFECTED—225 Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Rosling.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(378-33-BZ)

WHEREAS, Rubinstein & Rosling, for Kings Brewery, Inc., owner, filed December 13, 1933, an application under the building zone resolution to permit in a residence district the alteration and change of occupancy of an existing building to a business use (office building); premises: 225

MINUTES

Pulaski street (Block No. 1773, Lot No. 72), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 4, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Pulaski street and Hart street are in a residence district; Sumner avenue and Throop avenue are in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 23, 1933 (App. No. 14155-33), reads:

"Proposed change of occupancy to offices in a residential district is contrary to B. Z. Res., Art. II."

and

WHEREAS, the building is of non-fireproof construction, four stories in height, with a frontage of 26 ft. 6 in. and a depth of 65 ft. 4 in., formerly occupied as a multiple dwelling, to be occupied as offices in conjunction with a brewery adjoining; and

WHEREAS, this application was the subject of an inspection by a committee of the board on November 22, 1934, for the purpose of determining whether the ventilating system installed on these premises for ventilating the adjoining brewery had been dismantled as claimed by applicant; and

WHEREAS, the committee found that the ventilating system had been dismantled and statement has been made that same will not be restored on the premises under appeal, and the board deemed that applicant had substantiated his basis of appeal under section 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21, permitting the building as altered in accordance with plans filed with the Building Department in the Borough of Brooklyn under App. No. 14145-1933, to be used throughout for office purposes in connection with adjoining buildings to the east, used as a brewery, *on condition* that there shall be no doorway or other opening between this building and the brewery building and that there shall be no ventilating system or any part of same intended for use for ventilating any part of brewery installed on this building or any part of the plot; that this variation shall continue only so long as this building is used as office building in conjunction with the brewery.

111-33-BZ.

APPLICANT—Conroy and Hardy, for Christ G. Callas, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Jamaica Bay boulevard and Morrell avenue (Block No. 4046, Lot No. 82), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(111-33-BZ)

WHEREAS, this application affecting premises northeast corner of Jamaica Bay boulevard and Morrell avenue (Block No. 4046, Lot No. 82), Howard Beach, Borough of Queens, was granted by the Board July 11, 1933, reopened and amended June 5, 1934, and applicant requests a further amendment as to time.

Resolved, that the resolution adopted by the board on June 5, 1934, be and it hereby is *amended* only so far as it refers to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

" . . . that all plans shall be filed with and approved by the commissioner of buildings within six months and all work completed within one year from the date of this amended resolution *on condition* that other than as amended herein the resolution adopted by the board on June 5, 1934, shall be complied with in all respects."

384-31-BZ.

APPLICANT—Charles Goodman, for Apex Gas Station, Inc., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district the erection of office, grease pit and car washing building to be used as accessory to an existing gasoline service station.

PREMISES AFFECTED—2596-2604 Linden boulevard and 780-788 Crescent street, southwest corner (Block No. 4485, Lot Nos. 6 and 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Goodman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(384-31-BZ)

WHEREAS, this application affecting premises 2596-2604 Linden boulevard, southwest corner of Crescent street (Block No. 4485, Lot Nos. 6 and 9), Borough of Brooklyn, was granted by the board December 27, 1933, on certain conditions, and applicant requests an extension of time.

Resolved, that the resolution adopted by the board on December 27, 1933, be and it hereby is *amended* only so far as it relates to the completion of work, so that as amended this portion of resolution shall read:

" . . . in view of statement by applicant that plans have been approved by the commissioner of buildings that all work shall be completed within one year from the date of this resolution *on condition* that other than as amended herein the resolution of the board adopted on December 27, 1933, shall be complied with in all respects."

MINUTES

78-34-BZ.

APPLICANT—Joseph D. Nunan, Jr., for Cross Bay Theatre, Inc., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Joseph D. Nunan, Jr.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(78-34-BZ)

WHEREAS, this application affecting premises 94-15 to 94-19 Rockaway boulevard, northeast corner of Woodhaven boulevard (Block No. 396, part of Lot No. 114), Ozone Park, Borough of Queens, was granted by the board July 10, 1934, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on July 10, 1934, be and it hereby is amended, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21 of the building zone resolution on condition that the plot shall be levelled substantially to the grade of Woodhaven boulevard; that there shall remain at all times vacant and unbuilt upon 20 ft. to the east of the plot adjoining the theatre building and an unbuilt-upon yard at the rear of plot leading to Woodhaven boulevard for a width of not less than 10 ft.; that the accessory buildings shall be located toward the northeasterly portion of the gasoline selling area as indicated on plans marked 'Received July 10, 1934', and these accessory buildings shall consist of an office building and greasing buildings as indicated on plan; that these accessory buildings shall not exceed one story in height and shall be constructed throughout with incombustible materials except that roof framing and boarding, windows and doors may be of wood provided the ceilings are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the front of these greasing buildings shall remain open; that there shall be no open excavations under any of the buildings except the pits for greasing racks; that gasoline pumps shall be located substantially as indicated on drawings marked 'Received July 10, 1933' except that no pumps shall be nearer than 10 ft. to either street line or to any part of the accessory buildings; that the area shown for planting shall be maintained and shall be protected by stone or concrete curbing; that the balance of the plot where not occupied by accessory buildings and planting shall be either cement-paved or covered with cracked blue-stone; that there shall be erected on the interior lot

lines where indicated substantial ornamental wood fence not less than 3 ft. in height; that there shall be not over two entrances from Woodhaven boulevard and not over two entrances from Rockaway boulevard; and that no entrance shall exceed 25 ft. in width; that no part of any entrance shall be nearer than 5 ft. to the corner formed by Rockaway boulevard and Woodhaven boulevard; that opposite these entrances the cuts in curb shall not exceed 30 ft. in width; that there shall be no portable gasoline pumps used on or from the property; that there shall be no signs advertising non-conforming uses other than the illuminated globes of the gasoline pumps; that other than where permitted entrances occur, there shall be constructed a concrete curb on the street building line not less than 12 in. in width and 6 in. in height, the top surface of which may be rounded; that in the event that any part of these premises is condemned by the City of New York for the widening of Woodhaven boulevard, this variation shall be terminated upon the vesting of title in the City; that a plan shall be submitted to the board and approved by the chairman in behalf of the board before same is filed with the commissioner of buildings; that all permits shall be obtained within three months after such approval of plan, and all work completed within nine months from the date of this action; and that other than as amended herein the resolution adopted by the board on July 10, 1934, shall be complied with in all respects."

APPEALS FROM ADMINISTRATIVE ORDERS.

216-34-A.

APPELLANT—Geo. E. Strehan, for A. R. Haeuser Co., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—52-64 Warren street (Block No. 303, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: None.

For Administration: None.

ACTION OF BOARD—Laid over to December 18, 1934, at 2 p. m., upon written request of appellant.

245-34-A.

APPELLANT—Preferred Utilities Company, Inc., for First National Oil Co., owner.

SUBJECT—Appeal from decision of the Board of Buildings.

PREMISES AFFECTED—West side of Vernon boulevard, 90 ft. north of 43d avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

APPEARANCES—

For Appellant: Frank Glanz.

For Administration: None.

ACTION OF BOARD—Laid over to December 11, 1934, at 2 p. m., for further consideration by the board.

159-33-A.

APPELLANT—Larry Meltzer, for Graham Brake Service Corp., lessee.

SUBJECT—Application for reopening—restoration to Calendar, previously dismissed for lack of prosecution—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—653 First avenue (Block No. 943, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Appellant: Larry Meltzer and David Chaitovitz.

For Administration: Inspector Meyer of Fire Department.

MINUTES

ACTION OF BOARD—Appeal reopened, restored to Calendar and laid over to December 11, 1934, at 2 p. m., for inspection by a committee of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

240-34-A.

APPELLANT—David Kaufman, for Feigert & Laudesman, lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—50 East 8th street (Block No. 548, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Appellant: None.
For Administration: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(240-34-A)

WHEREAS, this appeal affecting premises 50 East 8th street (Block No. 548, Lot No. 31), Borough of Manhattan, was filed with this board on August 15, 1934; and

WHEREAS, although the appellant was notified to complete his papers, he failed to do so.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

265-34-A.

APPELLANT—Joseph T. Hammer, for Walter B. Cooke, Inc., lessee.

SUBJECT—Appeal from decisions of the Commissioner of Buildings and the Board of Buildings.

PREMISES AFFECTED—151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Lot No. 61), Borough of Brooklyn.

APPEARANCES—

For Appellant: Joseph Singer and Joseph T. Hammer.
For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(265-34-A)

WHEREAS, Joseph T. Hammer, for Walter B. Cooke, Inc., lessee, filed September 12, 1934, an appeal from decisions of the Commissioner of Buildings, Brooklyn, and the Board of Buildings, affecting premises 151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Lot No. 61), Borough of Brooklyn; and

WHEREAS, the decision of the Board of Buildings, dated August 23, 1934, reads:

APPELLANT—Walter B. Cooke, Inc., 1 West 190th street, New York City.

OBJECT—Application for reopening—denial—re appeal from order and decision of the Commissioner of Buildings, Department of Buildings, Borough of Brooklyn.

PREMISES AFFECTED—151 Linden boulevard, northwest corner Rogers avenue, Brooklyn.

APPEARANCES—Mr. J. T. Hammer.

THE VOTE TO REOPEN—For the purpose of securing denial from the Board of Buildings on this date.

Affirmative: Acting Chairman Thatcher, Commissioners Reville and Langworthy, Mr. Rippberger representing Commissioner Keller and Mr. McDermott representing Commissioner Fassler 5
Negative 0

THE VOTE TO DENY—

Affirmative: Acting Chairman Thatcher, Commissioners Reville and Langworthy, Mr. Rippberger representing Commissioner Keller and Mr. McDermott representing Commissioner Fassler 5
Negative 0

RESOLUTION—Whereas, on April 12, 1934, the Board of Buildings adopted the following resolution:

"WHEREAS, under date of March 1, 1934, Mr. Joseph T. Hammer, representing Walter B. Cooke, Inc., 1 West 190th street, filed an appeal from order and decision of the Commissioner of Buildings, Department of Buildings, Borough of Brooklyn, on premises 151 Linden boulevard, Brooklyn; said order reads as follows:

"Proposed change in occupancy from a residential to an undertaking establishment questioned for acceptance in reference to frame building located within suburban limits—Section 5, Paragraph 4, Building Code; and"

"WHEREAS, Mr. Joseph T. Hammer appeared before the board at its meeting on March 15, 1934; and

"WHEREAS, the board agreed that Mr. Hammer should take the case up with the Corporation Counsel in relation to decisions given by the Corporation Counsel in relation to decisions given by the Corporation Counsel on Section 91 of the Building Code; and

"WHEREAS, Mr. Hayes, representing Mr. Joseph T. Hammer appeared before the board at its meeting on April 12, 1934; and

"WHEREAS, the Corporation Counsel has decided that the opinions above referred to are a general interpretation of Section 91 and that a specific case cannot be given special consideration in the light of those decisions.

"Resolved, that the order and decision of the Commissioner of Buildings, Department of Buildings, Borough of Brooklyn, be and it hereby is affirmed and the appeal be and hereby is denied."

and

"WHEREAS, Mr. J. T. Hammer appeared before the board at a special meeting held in the Local Board Meeting Room, Borough Hall, Brooklyn, on Thursday, August 23, 1934, and requested the board to reopen the case for the purpose of receiving either a modification of the original action taken by the board or a denial so that the matter may be taken before the Board of Standards and Appeals.

"Resolved, that the order and decision of the Commissioner of Buildings, Department of Buildings, Borough of Brooklyn, be and hereby is affirmed and the appeal be and hereby is denied and the original action of the Board of Buildings taken on April 12, 1934, is reaffirmed. This denial is made on this date so that the appellant may make application to the Board of Standards and Appeals within required twenty day limit."

and

WHEREAS, the decision of the Commissioner of Buildings, dated August 6, 1934, re Application No. 14855-1934, reads:

"Proposed change in occupancy from a residential to an undertakers establishment question for accept-

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ance in reference to frame building located within suburban limits.

"Denied under Section 5, Paragraph 4 of the Building Code."

and

WHEREAS, the building is of frame construction, 2 stories and attic 39 ft. in height, 41 ft. by 39 ft. in area; OCCUPIED normally as a private dwelling; vacant at present; located within the suburban limits and also within a business use district; and

WHEREAS, the appellant proposes to use the premises in part as a funeral parlor; the first story to be used as a chapel, reception room, office and embalming room; the second story as a repose room and the display of not more than three sample caskets; no cooking will be done on the premises; no other part of the building will be used in connection with the funeral parlor, and no alteration of the building is to be made; a watchman will be maintained on the premises during the night; and

WHEREAS, the appellant contends that the building in question was erected in 1895, it is an existing condition; Section 91 of the Building Code affects buildings hereafter erected, consequently Subdivision 4 of Section 5 does not prohibit the proposed occupancy; the proposed occupancy is a profession, non-hazardous, does not endanger public safety, and furthermore conforms with all the requirements under the Building Code and the Building Zone Resolution; and

WHEREAS, these premises are located within an area zoned for business use in which funeral parlors are permitted; and

WHEREAS, in the opinion of the Board of Standards and Appeals, a frame building within the suburban limits formerly used as a residence cannot be altered for a business occupancy unless it complies with the requirements for a business building hereafter erected; and

WHEREAS, it appears that no structural alteration whatever is proposed to this frame dwelling for the proposed occupancy as a funeral parlor; and

WHEREAS, the premises were inspected by a committee of the board and a report of inspection was read at the hearing, which report follows, and which includes recommendations for granting the application under certain conditions that will carry out the spirit of the law as to prevention of spread of fire within the suburban limits; and

WHEREAS, the report reads:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 265-34-A.

Premises: 151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Lot No. 61), Borough of Brooklyn.

The purpose of establishing fire limits and suburban limits within the city was a fire prevention measure and not a zoning measure to establish the use of land. Specifically it was to limit the use of frame construction. There is no doubt that the ordinance requires that new buildings or buildings structurally altered from one use to another use must conform to the requirements for buildings hereafter erected. Section 91, Article V and Subdivision 4 of Section 5 of Article I of Chapter V of the Code of Ordinances, when read together, show this intent. It is not as clear that a building for which no alteration whatsoever is required in changing from a former use as a residence to a new use as a business must conform to the requirements for a building hereafter erected.

The matter of zoning is not involved here. While Linden boulevard is zoned for residence use, Rogers avenue on which these premises also front is zoned for business use and such use extends to the corner of Linden boulevard and 100 ft. along that boulevard from the corner of Rogers avenue. A funeral parlor is permitted in a district such as this is, zoned for business use.

Chapter V is declared in Article I, Section 1, Subdivision 3 "to be remedial and shall be construed liberally to secure the beneficial interests and purposes thereof." As far as the purposes of Section 91 are concerned, which as stated are to prevent the extended uses of frame construction as a fire preventive measure, they are satisfied in this instance by leaving the extensive area around this building unbuilt upon.

If this building the plot on which it is located is wholly within the area zoned for business use and is not structurally altered and is not increased in height or area, it is the opinion of the committee which inspected this site on November 22, 1934, that the desired use should be permitted provided further that the plot on which this building is located should also remain vacant and unbuilt upon except for the existing buildings and other buildings as may exist that are accessory thereto.

If in the judgment of the Commissioner of Buildings reinforcement of floor beams are needed to provide a safe floor loading, this should not be considered as an alteration.

(Signed) HARRIS H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

CHARLES M. BLUM,

Committee of Inspection.

Resolved, that the decision of the Board of Buildings be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, permitting the existing frame building to be used as a funeral parlor *on condition* that such building shall be entirely within the area zoned for business and that no additional buildings during the time that this building is so used shall be constructed or altered on the plot known as Block 5084, Lot No. 61 with the following dimensions: 162.6 ft. on Linden boulevard and 257.6¼ ft. on Rogers avenue; *on the further condition* that this building shall not be structurally altered or increased in height or area and that no illuminated sign shall be erected facing Linden boulevard.

298-34-A.

APPELLANT—Choate, Larocque & Mitchell, for Nathaniel H. Lyons, neighboring property owner against No. 251 Realty Corporation, owner of premises affected.

SUBJECT—Appeal from a decision of the Board of Buildings refusing to revoke a prior action of the Board of Buildings.

PREMISES AFFECTED—251-253-255 Bowery (Block No. 427, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Appellant: Edward G. McLaughlin and Max Siegal.

For Owner of Premises: Jacob Fisher.

For Administration: Assistant Engineer Samuel Becker of Department of Buildings and Board of Buildings.

ACTION OF BOARD—Appeal granted; decision of Board of Buildings reversed and approval of Commissioner of Buildings revoked.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(298-34-A)

WHEREAS, Choate, Larocque & Mitchell, for Nathaniel H. Lyons (neighboring property owner), against No. 251 Realty Corp., owner, filed October 23, 1934, an appeal from the decision of the Board of Buildings, refusing to rescind a prior action of the Board of Buildings, affecting premises

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251-253-255 Bowery (Block No. 427, Lot No. 4), Borough of Manhattan; and

WHEREAS, the decision of the Board of Buildings dated October 18, 1934, reads:

"The original action of the Board on the above premises was again discussed at the regular meeting on October 4, 1934. It was the decision of the Board to stand by the original action taken by them on July 12, 1934, as it was the opinion of the Board that their action was in conformity with the provisions of Chapter 764 of the Laws of 1933";

and

WHEREAS, the action of the Board of Buildings, dated July 12, 1934, reads:

BOARD OF BUILDINGS

APPEAL FROM ADMINISTRATIVE ORDER

A-141/34

APPELLANT—Mr. Jacob Fisher, Bible House, 45 Astor place, N. Y. C.

SUBJECT—Appeal from order and decision of the Commissioner of Buildings, Department of Buildings, Borough of Manhattan.

PREMISES AFFECTED—251-255 Bowery.

APPEARANCES—Mr. Jacob Fisher.

ACTION OF THE BOARD—Appeal granted.

THE VOTE TO GRANT—

Affirmative: Chairman Keller, Commissioners

Fassler, Langworthy, Thatcher and Reville 5

THE RESOLUTION—WHEREAS, on July 10th, 1934, Mr. Jacob Fisher filed an appeal from order and decision of the Commissioner of Buildings, Borough of Manhattan; said orders read as follows:

"1. Building should be fireproof as per Section 72, Building Code. File specification sheet B.

"2. Ventilation of rooms and floor area should comply with Sections 29-30; Multiple Dwelling Law. Size of rooms should comply with Section 31.

"3. Provide lawful ventilation for water-closets, as per Section 76, Multiple Dwelling Law.

"4. First tier of beams should not be pierced as per Section 143, Multiple Dwelling Law.

"5. A second means of egress should be provided as per Section 144, Multiple Dwelling Law. Show detail of fire-escape construction.

"6. Ventilation and lighting of stairway should comply with Section 148, Multiple Dwelling Law.

"7. Show clearly passageway to street from termination of fire-escape.

"8. Stairway should be at least 3 ft. 8 in. wide as per Section 153, Building Code. Show dimension of entrance hall," and

WHEREAS, the building in question is an existing building, 4 stories in height; and

WHEREAS, under Alteration Application No. 1244/34 it is proposed to alter the building as follows:

Remove and erect new partitions. Construct new iron stairs with brick enclosure and provide new steel beams and girders as shown on plans. Provide new regulation fire-escapes as shown. Erect new steel columns and brick walls as shown; and

WHEREAS, the building is to be occupied as follows:

First floor—store.

Second, 3rd and 4th stories—lodging house, multiple dwelling, Class B; and

WHEREAS, Section 72 of the Building Code limits the height on non-fireproof buildings to 40 feet, and

WHEREAS, the actual height of this building to the highest point of the roof beams is 43 feet and considerably less than that to the top of the roof beams; and

WHEREAS, the first tier of beams is to be of fireproof construction; and

WHEREAS, the inside stairs extending from the cellar to the first story is to be enclosed at the cellar level with fireproof partitions and a fireproof self-closing door and also provided with a fireproof self-closing trap door at the 1st story level; and

WHEREAS, a second means of egress is being provided by means of a rear fire-escape in practical conformity with the provisions of Section 144 of the Multiple Dwelling Law; and

WHEREAS, it is the opinion of the Board that Sections 29, 30 and 31 of the Multiple Dwelling Law is not applicable to this type of building; and

WHEREAS, windows of at least 10% of the superficial floor area will be provided on each of the 2nd, 3rd and 4th stories; and

WHEREAS, the stairway at the 2nd story level is lighted and ventilated by a new 2 ft. 6 in. x 5 ft. 6 in. pivot window with a transom over; and

WHEREAS, the stairhall at the 3rd story level is to be lighted by a new window 2 ft. 6 in. x 6 ft. 0 in. as indicated on plans filed with Alteration Application No. 1244/34 filed in the Department of Buildings, Borough of Manhattan; and

WHEREAS, the stairway at the roof level is to be provided with a regulation skylight; and

WHEREAS, the stair is to be of fireproof construction, 3 ft. 6 in. in width, enclosed with fireproof partitions and provided with fireproof self-closing doors at all openings; and

WHEREAS, the new bathrooms and water-closet compartments which are to be installed are to be lighted and ventilated by mechanical means as permitted under the provisions of Sections 115 and 116 of the Multiple Dwelling Law; and

WHEREAS, access from the termination of the fire-escapes is to be provided to the adjoining property as indicated on the plans filed with Application No. 1244/34.

Resolved, that the order and decision of the Commissioner of Buildings, Borough of Manhattan be and it hereby is modified and the appeal be and hereby is granted;

and

WHEREAS, the three adjoining buildings are non-fireproof, 3½ and 4 stories (43 feet) in height, 64 feet 6¼ inches by 100 feet 6 inches irregular in depth; OCCUPIED: cellar, boiler room; 1st story, store; 2nd, 3rd and 4th stories, factory work; and

WHEREAS, the appellant claims the buildings in question were erected prior to 1899; under Alt. Application No. 1244/34 and plans filed June 5, 1934 with the Department of Buildings, the owner proposed extensive structural alterations to the 4 story building No. 255 Bowery, and to change the occupancy from a factory use to a lodging house (Class B multiple dwelling, applying to dwellings hereafter erected as defined under Section 8, subdiv. 1 of the M. D. L.); the Commissioner of Buildings disapproved the proposed alteration June 15, 1934, with eight objections, citing specific sections wherein the proposed alterations were in violation of the Building Code and the Multiple Dwelling Law; thereafter, an appeal was filed with the Board of Buildings against the objections; this appeal was granted July 12, 1934, by the Board, and the Commissioner of Buildings then approved the proposed alteration August 9, 1934; furthermore, the appellant contends that such action by the Board of Buildings modified and waived the provisions of the Building Code and the Multiple Dwelling Law; that the Board exceeded its authority in that there were no practical difficulties which permitted the Board to waive the provisions of the Building Code; and under Section 9 of the Multiple Dwelling Law, the Board was without authority to waive the provisions of the Multiple Dwelling Law; that the action of the Board of Buildings of July 12, 1934, and also the approval of the Commissioner

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of Buildings of August 9, 1934, affecting the premises in question should be revoked and made of no further force and effect; and

WHEREAS, it is the opinion of the Board of Standards and Appeals that neither the commissioner of buildings nor the board of buildings, nor the Board of Standards and Appeals have any power under Chapter 764 of the laws of 1933 or any other law to vary the requirements of the Multiple Dwelling Law respecting the proposed conversion or any other requirements of said law except as expressly authorized thereby; and

WHEREAS, in the opinion of the Board of Standards and Appeals, the Board of Buildings has no authority to approve as a practical difficulty under Section 411 of Chapter 764 of the laws of 1933, the conversion of an existing non-fireproof building to a Multiple Dwelling when it exceeds the height of 40 feet without requiring the building to be fireproof as required by Section 72 of the Building Code.

Resolved, that the decision of the Board of Buildings be and it hereby is *reversed*, and the approval of the Commissioner of Buildings be and it hereby is *revoked*, and the appeal be and it hereby is *granted*.

630-32-A.

APPELLANT—Nathan Tolk for Seiden Films, Inc., lessee.

SUBJECT—Application for reopening—amendment—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—33 West 60th street (Block No. 1113, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Appellant: Nathan Tolk.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(630-32-A)

WHEREAS, this appeal affecting premises 33 West 60th street (Block No. 1113, Lot No. 8), Borough of Manhattan, was granted by the board March 7, 1933, on certain conditions, and lessee requested an amendment.

Resolved, that the resolution adopted by the board on March 7, 1933 be and it hereby is *amended*, so that as amended the resolution will read:

"Resolved, that the order of fire commissioner be and it hereby is *modified* and the appeal be and it hereby is granted as to Order No. 77758-LC, to permit the occupancy of the premises as indicated on the plans filed with this appeal marked 'Received December 27, 1932' as a sound-recording studio as defined in the Code of Ordinances, *on condition* that this occupancy shall be confined to Room 511 on the fifth floor; that there shall be at no time an excess of twenty-five (25) reels, or 25,000 running feet, of inflammable film on the premises, and such film shall be stored in approved sprinklered cabinets constructed and maintained in accordance with the legal requirements therefor and that such additional fire-fighting appliances shall be installed as shall be required by the fire chief and commissioner."

PETITION FOR VARIATION.

295-34-S.

PETITIONER—Jack Z. Cohen, for Benwill Realty Corp., owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—44-46 Crown street (front) and 42-48 Crown street (rear), south side, 175 ft. West of Franklin avenue (Block No. 1190, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Petitioner: Jack Z. Cohen.

For Administration: None.

ACTION OF BOARD—Petition granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(295-34-S)

WHEREAS, Jack Z. Cohen, for Benwill Realty Corp., owner, filed October 18, 1934, a petition for a variation from the order and a decision of the commissioner of buildings, affecting premises 44-46 Crown street (front) and 42-48 Crown street (rear), south side, 175 ft. west of Franklin avenue (Block No. 1190, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated September 29, 1933, Order No. 0382-LD, reads:

1. Discontinue the use of the above premises occupied for factory purposes as same is a violation of the Labor Law.

Among the defects noted are the following:

A. Stairway at southwest corner of building not fully enclosed in fireproof material. Section 270 of the Labor Law.

B. Doors to stairway at northeast corner of the building on all stories do not open outwardly without obstructing stairway. Section 270 of the Labor Law.

C. All doors to stairways are not self-closing. Section 270 of the Labor Law.

G. No suitable means of reaching the roof by way of a double rung iron ladder located within the stair enclosure at southwest corner of the building as per rules of the Board of Standards and Appeals.

and

WHEREAS, the decision of the commissioner of buildings, dated September 28, 1934, reads:

"In reply to your letter of September 22, 1934, advising that you have been retained by the owners to appeal from the requirements of Order No. 4382-LD and that you have been unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, twenty days, had elapsed and request dismissal and reissuance of the above order.

"You are advised that the order cannot be dismissed or reissued. Therefore, your request is denied."

and

WHEREAS, the building is non-fireproof, 2 stories in height; 38 ft. by 162 ft. by 94 ft. across rear in area; OCCUPIED: as a wet wash laundry; 1st story, 15 persons; 2nd story, 60 persons; located within an unrestricted district; EQUIPPED with a sprinkler system; EXITS: an interior iron and concrete stairway, extending from the 1st story to roof, enclosed in 6 in. terra cotta block partitions with fireproof doors at openings; an open exterior iron stairway at the southeast side of the building (3 ft. 6 in. in width) having a fireproof door opening from 2nd story, extending from the ground level to the 2nd story, with egress from foot of stairway through the yard

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direct to the street; there are no adjoining buildings; and

WHEREAS, the petitioner claims the building is divided into two small floor areas by a fire wall with horizontal exits, protected by sliding automatic fire doors, one on each side of the wall, on each story; the rear section was erected in 1922, having an open interior iron stairway at the southwest corner (now closed and disused), and certificate of occupancy was issued November 27, 1922 for laundry use; the front section was added in 1926, and Certificate of Occupancy issued June 8, 1926 for laundry use; alterations were made in 1932 and Certificate of Occupancy was issued October 11, 1932 for laundry use which is now in force; the petitioner proposes to provide sliding fireproof self-closing doors for all openings to the interior fireproof stairway at northeast; provide a fireproof self-closing window at first story under the exterior iron stairway at southeast; entirely remove the disused interior stairway at southwest corner of building; furthermore, the petitioner contends that the present exits consisting of an interior fireproof stairway and the horizontal exits are practically in accordance with the Labor Law, the exterior iron stairway at the southeast is in accordance with the Labor Law except as to width, enclosure and extension to roof.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law and that the petition is and it hereby is *granted, modifying* the order of the commissioner of buildings, No. 0382-LD, *on condition* that the doors to the stairway in the northeasterly portion of the building shall be made self-closing; that there shall be installed approved, fireproof-labeled, sliding doors at the opening in each story in the division wall between the two sections of the building; permitting the existing 3 ft. 6 in. exterior stairway at the southeasterly portion of the building; that there shall be maintained at all times from this exterior stairway an exit through the yard, open and unobstructed, to Franklin avenue; that there shall be constructed from the 2nd floor balcony of this exterior stairway a gooseneck ladder to the roof; that the window directly underneath this stairway shall be made fireproof and self-closing; permitting the existing stairway at the southwesterly portion of the building to be entirely removed and the well-hole floored over to the satisfaction of the commissioner of buildings; that the sprinkler system shall be maintained in working condition satisfactory to the commissioner; *and granted so long* as Certificate of Occupancy issued by the commissioner of buildings under date of October 11, 1932, shall be complied with.

APPLIANCES SUBMITTED FOR APPROVAL.

321-34-SA.

PETITIONER—Hoben Mfg. Co., owner.

SUBJECT—Shawmut "Junior" Range Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

322-34-SA.

PETITIONER—Hoben Mfg. Co., owner.

SUBJECT—Shawmut "DeLuxe" Range Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

323-34-SA.

PETITIONER—Wm. V. McDevit, for Oil Products Co., Inc., owner.

SUBJECT—Hi-Heat Range Burner, Models A and DeLuxe, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

325-34-SA.

PETITIONER—Diamond Oil Burner Manufacturing Co., owner.

SUBJECT—Diamond Range Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

23-33-SA.

PETITIONER—James Cataldo, for Sunrex Co., Inc., owner.

SUBJECT—Restoration to Calendar—re Sunrex Range Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petitioned restored to Calendar, placed on Reserve Calendar, referred to engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

THE VOTE TO RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

Adjourned, 4:40 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

RULES

FACTORY EXIT RULES ADOPTED FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

64-27-SR

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair tread, constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under Section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4. (a) Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking

effect, unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways, serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible, no sprinkler	Contents combustible and sprinkler	Contents non-combustible, and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor below and the floor next above the curb or average grade level.

Where the stairway extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvers or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

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The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 lbs.

Volatile inflammable oils, 1 gal.

Volatile inflammable mixtures, 5 gals.

Combustible mixtures, 10 gals.

Paints, varnishes and lacquers, 10 gals.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupancies as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways. In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door

opening outwardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12. (a) When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

RULES

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways. All interior stairways not conforming to the requirements of the Labor Law or rules

of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit.

Rule 15. Exterior Screened Stairways. Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly painted, exits thereto and all platforms and passageways thereof shall be maintained unobstructed, and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges. Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these sub-standard exits.

RULES

SMOKING IN FACTORIES.

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals August 30, 1917; Amended November 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and all selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood joisted floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fire-proof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one-inch lapped seams.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

- 299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.
 328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.
 19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.
 20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.
 21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.
 22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

Appliances Submitted for Approval.

- 1249-22-SA—Coen Steam Atomizing Oil Burner.
 628-23-SA—Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15.
 259-25-SA—Electrol Automatic Oil Burner, Models "C" and "EA".
 443-26-SA—American Anti-Syphon Valve.
 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
 359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.
 32-31-SA—Ray-Dio Sunshine Range Oil Burner.
 491-31-SA—Superfex Oil Burning Heater.
 209-32-SA—Crocker 4-inch Siamese.
 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
 286-32-SA—Hubbard Silent Electric Oil Burner.
 528-32-SA—Weldon Extinguisher.
 592-32-SA—The Ameroil Range Burners.
 23-33-SA—Sunrex Range Oil Burner.
 62-33-SA—Florence Oil Heater, Models GC-6, GC-7, GS-27 and CH-28.
 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
 126-33-SA—Tower Range Oil Burner.
 162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.
 164-33-SA—Firemaster Fire Extinguisher.
 218-33-SA—Presto Gas Pressing Machine Burner No. 10.

- 271-33-SA—Perfect-Pantex Oil Burner.
 349-33-SA—Herco Oil Burner.
 32-34-SA—Super Oil Burner for Pressing Machine.
 92-34-SA—Autocall Interior Fire Alarm Signal Systems.
 125-34-SA—American Oil Burner.
 128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).
 155-34-SA—Midget Oil Burner.
 156-34-SA—Allen's Siamese Connections for Fire Department use.
 165-34-SA—Rose Oil Heater.
 183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.
 203-34-SA—King Oil Burner.
 205-34-SA—Automatic Firetox Extinguisher.
 208-34-SA—Globe Oil Burner Pump.
 221-34-SA—The Ohio Pattern Works Foundry Co. Curb Fill Box (Gasoline).
 224-34-SA—Progressive Press Machine Oil Burner.
 234-34-SA—Bland Range Oil Burner.
 236-34-SA—Air-O-Flame Range Burners.
 256-34-SA—"Standard" One-Piece Closet Combination.
 263-34-SA—Lonergan Oil Burning Heater, Models F-2, F-3 and C-4.
 270-34-SA—Zenith Oil Burner.
 274-34-SA—B. & H. Radiant Stove Oil Burner.
 275-34-SA—Vapomatic Oil Burner.
 291-34-SA—Champion Range Oil Burner and Pump, Models A, DeLuxe and Waco.
 300-34-SA—Johnson Anti-Syphon Rotary Plunger Pump.
 301-34-SM—"Radbur" Flameproofing Compound.
 302-34-SA—Loyalty Range Burner.
 304-34-SA—Quick Meal Range Burner.
 305-34-SA—Quick Meal Water Heater, Model 5681-0.
 306-34-SA—Quick Meal Space Heaters, Models 5672-0, 5671-13, 5671-33 and 5671-35.
 308-34-SA—"Blue Glow" Range Oil Burner, Models Supreme and DeLuxe.
 309-34-SA—Hupp Range Oil Burner, Models S.D. and C.D.
 311-34-SA—Evur-Ready Range Oil Burner, Models Leader, Standard and De Luxe.
 313-34-SA—General Electric Oil Screen Valve (Anti-Syphon Type), Model CR-7860-E1A.
 321-34-SA—Shawmut "Junior" Range Burner.
 322-34-SA—Shawmut "DeLuxe" Range Burner.
 323-34-SA—Hi-Heat Range Burner, Models A and DeLuxe.
 325-34-SA—Diamond Range Oil Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
 May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
 May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

PROGRESS REPORT

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		Total.....	909

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS

Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Progress Report.

PUBLIC HEARINGS

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Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, December 17, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, December 24, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to December 12, 1934.

Cal. No.	Department.	Premises Affected.
348-34-A.....	F.D.....	136-146 41st st. (Block 716, Lot 20), Brooklyn. 65459-LC.
347-34-A.....	D.B.Q.....	149th st. to 154th st. and Ocean promenade (Neponsit Beach Hospital), (Block 810, Lot 1), Neponsit, Queens. Decision.
346-34-BZ.....	D.B.B.....	6501-6505 22d ave. (Bay park-way), S.E. cor. 65th st. (Block 6578, Lot 3), Brooklyn. Applic. 16480-34.
345-34-SA.....	F.D.....	Micron Oil Burner, Appliance.
344-34-A.....	F.D.....	548 Cassanova st. (Block 2768-D, Lot 193), The Bronx. 3666-LC.
343-34-BZ.....	D.B.B.....	83 Nevins st. and 472-476 Atlantic ave. (Block 185, Lot 5), Brooklyn. Applic. 16412-34.
342-34-BZ.....	D.B.M.....	231-233 West 74th st. (Block 1166, Lots 13 and 14), Manhattan. Alt. Applic. 2850-34.
341-34-A.....	D.B.B.....	1725-29 St. Marks ave. (Block 1455, Lots 67, 68 and 69), Brooklyn. 0760-LF.

Restored to Calendar.

492-29-BZ.....	D.B.Bx....	2183-2185 Grand Concourse (Block 3162, Lot 30), The Bronx. Decision.
53-29-BZ.....	D.B.B.....	5231-5247 Kings highway, N.E. cor. Foster ave. (Block 7949, Lot 1), Brooklyn. Applic. 5441-31.

CODE

F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

RULES

	Last Publication in Bulletin
Certificate of Occupancy, approved forms.....	Aug. 2, 1932—Vol. 17 No. 31
Concrete Flat Slabs, Rules.....	Dec. 4, 1934—Vol. 19 No. 49
Concrete Rules (Hydrated Lime).....	Oct. 9, 1934—Vol. 19 No. 41
Elevator Rules.....	July 3, 1934—Vol. 19 No. 27
Exit Rules (Revolving Doors).....	Nov. 14, 1933—Vol. 18 No. 46

Factory Exit Rules.....	Dec. 11, 1934—Vol. 19 No. 50
Fire Alarm Rules (Interior).....	Nov. 20, 1934—Vol. 19 No. 47
Fire Drill Rules.....	May 30, 1933—Vol. 18 No. 22
Fire Retarding Rules for Garages, etc.	Dec. 11, 1934—Vol. 19 No. 50
Fireproof Wood, Testing of.....	Oct. 2, 1934—Vol. 19 No. 40
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4 No. 3
Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10 No. 14
Hatchway Protection.....	June 5, 1928—Vol. 13 No. 23
Oil Burner Rules.....	Dec. 18, 1934—Vol. 19 No. 51
Paint, Varnish and Lacquer Spray-ing Rules.....	Nov. 27, 1934—Vol. 19 No. 48
Plumbing Rules.....	July 17, 1934—Vol. 19 No. 29
Procedure, Rules of.....	June 20, 1933—Vol. 18 No. 25
Refrigerating Systems, Extract C. O.	Nov. 20, 1934—Vol. 19 No. 47
Smoking in Factories, Rules for.....	Dec. 11, 1934—Vol. 19 No. 50
Sprinkler Rules.....	Jan. 16, 1934—Vol. 19 No. 3
Standpipe-Fireline Rules.....	Oct. 16, 1934—Vol. 19 No. 42
Structural Alterations, Reporting.....	June 7, 1932—Vol. 17 No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8 No. 15

LIST OF APPROVED APPLIANCES

Fireline Hose Valves.....	Dec. 18, 1934—Vol. 19 No. 51
Fuel Oil Burners for Domestic and Commercial Use.....	Nov. 27, 1934—Vol. 19 No. 48
Fuel Oil Burners for Industrial Use.....	Nov. 6, 1934—Vol. 19 No. 45
Fuel Oil Pumps.....	Dec. 4, 1934—Vol. 19 No. 49
Paint, Varnish and Lacquer Spray-ing Equipment.....	Nov. 27, 1934—Vol. 19 No. 48
Range Oil Burners.....	Nov. 13, 1934—Vol. 19 No. 46

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 17, 1934, AT 2 P. M.

Building Zone Cases.

281-34-BZ.

APPLICANT—John M. Baker, for Astoria Riker Corporation, owner.

PREMISES—Southeast corner of Astoria boulevard and (proposed) 77th street (Block No. 1030, part of Lot No. 40), Jackson Heights, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

296-34-BZ.

APPLICANT—Eugene De Rosa, for 1934 Realty Corp., owner.

PREMISES—South side of East Mount Eden avenue, entire block from Townsend avenue to Walton avenue (Block No. 2845, Lot Nos. 34 and 56), Borough of The Bronx.

APPLICATION, under section 7c of the building zone resolution,

TO PERMIT partly in a residence district and partly in a business district the erection and maintenance of an extension to an existing building—to be used as a theatre.

116-30-BZ.

APPLICANT—William Shary, for Samuel Rubin & Son, Inc., owner.

PREMISES—1401 Grand Concourse, southwest corner of East 170th street (Block No. 2842, Lot No. 59), Borough of The Bronx.

APPLICATION, under sections 7c and 21 of the building zone resolution (reopened November 7, 1934).

TO PERMIT in a residence district the alteration and conversion of occupancy of part of basement and first story of an existing apartment house from dwelling to business use (stores); (previously withdrawn).

DECEMBER 18, 1934, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-

CALENDAR

ards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 18, 1934*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 253-34-BZ—Application, August 30, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of S.P.R. Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises west side of Westchester avenue, from Doris street to Glover street (Block No. 3965, Lot Nos. 35 to 40), Borough of The Bronx.

CAL. NO. 287-34-BZ—Application, October 1, 1934, under section 21 of the building zone resolution, of Howard Kelly, applicant, on behalf of Mutual Life Insurance Company, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1401-1409 College avenue, northwest corner of East 170th street (Block No. 2786, part of Lot Nos. 2 and 29), Borough of The Bronx.

CAL. NO. 290-34-BZ—Application, October 10, 1934, under section 21 of the building zone resolution, of Levy and Berger, applicants, on behalf of 291 Greenwich Street Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1611-1619 Eastern boulevard, northwest corner of Morrison avenue (Block No. 3718, Lot No. 1), Borough of The Bronx.

CAL. NO. 292-34-BZ—Application, October 16, 1934, under section 21 of the building zone resolution, of John Palmeri, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 147-02 to 147-12 90th avenue, southeast corner of Sutphin boulevard (Block No. 780, Lot No. 16), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 18, 1934, 2 P. M.

Appeals from Administrative Order.

216-34-A—52-64 Warren street (Block No. 303, Lot No. 1), Brooklyn.

159-33-A—653 First avenue (Block No. 943, Lot No. 30), Manhattan.

314-34-A—South side of Broadway, 80 ft. east of West 225th street (Block No. 2215, Lot No. 675), Manhattan.

330-34-A—59-65 Liberty street (Block No. 64, Lot No. 9), Manhattan.

336-34-A—274 Clove road (Block No. 215, Lot No. 46), West Brighton, Richmond.

Appliances Submitted for Approval.

88-34-SA—Bettendorf Automatic Oil Burners, Models D, G and F.

136-34-SA—Korth Oil Burner, Model G.

329-34-SA—Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275.

333-34-SA—Viking Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80.

339-34-SA—Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115 and Kerogas Duplex Oil Heater, Models 611, 621, 622A and 623.

345-34-SA—Micron Oil Burner.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 18, 1934*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 500-28-BZ—Application of William Shary, applicant, for Charles Zenker, present owner, reopened October 2, 1934, under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station; premises 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

CAL. NO. 262-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of James Whitford, applicant, on behalf of Oscar A. Johnsen, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1111 Forest avenue, northwest corner of Greenleaf avenue (Block No. 235, part of Lot No. 47), West New Brighton, Borough of Richmond.

CAL. NO. 268-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Herman M. Seldin, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

CAL. NO. 118-30-BZ—Application, February 14, 1930, under section 21 of the building zone resolution; denied July 1, 1930; reopened September 11, 1934, under section 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Sadye Hydecker, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2700-2706 Eastchester road and 1501-1509 Allerton avenue, northeast corner (Block No. 4534, Lot No. 12), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

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CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

1148-27-BZ.

APPLICANT—Saul Goldsmith, for Kaufbel Realty Corp., owner.

PREMISES—1146-1152 Atlantic avenue, southeast corner of Franklin avenue (Block No. 1199, Lot No. 8), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened May 29, 1934),

TO PERMIT in a business district the change of occupancy of an existing building (now part of a gasoline service station previously granted by the board) to a motor vehicle repair shop.

662-26-BZ.

APPLICANT—Charles Richel, for Sarah Richel, owner.

PREMISES—3504-3510 Boston road, southeast corner of Eastchester road (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened July 3, 1934),

TO PERMIT in a business district the maintenance of a gasoline service station (previously granted by the board for a temporary period—the temporary period has elapsed).

619-31-BZ.

APPLICANT—James Kearney, for Estate of Israel Miller, owner.

PREMISES—148-16 to 148-26 111th avenue, southwest corner of Sutphin boulevard (Block No. 2745, Lot No. 26), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened May 8, 1934),

TO PERMIT partly in a business district and partly in a residence district the maintenance and extension of a gasoline service station previously granted by the board for a temporary period.

332-34-BZ.

APPLICANT—Joseph V. O'Leary, for Spes Realty Corporation, owner.

PREMISES—1108-1112 First avenue, southeast corner of East 61st street (Block No. 1455, Lot Nos. 46, 48 and west part of Lot No. 42), Borough of Manhattan.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 31, 1934, AT 2 P. M.

Building Zone Cases.

975-28-BZ.

APPLICANT—Scacchetti & Siegel, for Estate of J. H. Douglas, Inc., owner.

PREMISES—East side of Bullard avenue, 100.01 ft. north of East 240th street (Block No. 5077, Lot Nos. 8, 11, 14), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened October 30, 1934),

TO PERMIT in a residence district the erection and maintenance of a building to be used as a dry cleaning establishment (previously denied for a garage).

218-34-BZ.

APPLICANT—Charles Schwimbersky, for Gustave Bondy, owner.

PREMISES—103-15 Astoria avenue, northwest corner of Humphreys street (Block No. 1667, Lot No. 8), East Elmhurst, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

305-33-BZ.

APPLICANT—Samuels and Samuels, for William Berg, owner.

PREMISES—104-106 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot No. 38), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened September 25, 1934),

TO PERMIT in a business district the alteration and change of occupancy of an existing building to a gasoline service station.

326-34-BZ.

APPLICANT—Lama and Proskauer, for Engelbert Bick, owner.

PREMISES—789-791 Bedford avenue, northeast corner of Park avenue (Block No. 1715, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a motor vehicle repair shop and also a gasoline service station.

JANUARY 8, 1935, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 8, 1935, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 231-34-BZ—Application, August 9, 1934, under section 21 of the building zone resolution, of Samuel M. Rivelson, applicant, on behalf of Constantinos Demetrookas, Inc., owner to permit in a business district the erection and maintenance of a gasoline service station; premises 9402-9404 Church avenue, southeast corner of East 94th street (Block No. 4715, Lot No. 36), Borough of Brooklyn.

CAL. NO. 264-34-BZ—Application, September 12, 1934, under section 21 of the building zone resolution, of William C. Goodson, applicant, on behalf of Bartholdi Turecamo, owner, to permit in a residence use and "F" area district the erection and maintenance of a private garage within fifteen (15) feet of the building line; premises 8412 Ridge boulevard (Block No. 6023, Lot No. 39), Borough of Brooklyn.

CAL. NO. 297-34-BZ—Application, October 22, 1934, under section 21 of the building zone resolution,

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tion, of Jack Fein, applicant, on behalf of Enmor Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2705-2715 Nostrand avenue, east side, 360 ft. north of Avenue N (Block No. 7666, Lot No. 25), Borough of Brooklyn.
HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1935, 2 P. M.

Appeal from Administrative Order.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 8, 1935, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 261-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of Wood & Marshall, applicants, on behalf of Samuel H. Baylis and Sheldon F. Baylis, owners, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles; premises 93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

CAL. NO. 320-34-BZ—Application, November 15, 1934, under section 21 of the building zone resolution, of Allmendinger and Schlendorf, applicants, on behalf of Werst Realty Co., owner, to permit partly in a business district and partly in a residence district the change of occupancy of an existing building to a business use (funeral home); premises 71-39 to 71-49 Cooper avenue and 71-54 to 71-66 72nd street, northwest corner (Block No. 3688, Lot No. 38), Glendale, Borough of Queens.

CAL. NO. 816-24-BZ—Application of Eugene De Rosa, on behalf of National Council of Congregational Churches, owner, reopened July 17, 1934, under sections 7a and 7c of the building zone resolution, to permit in a residence district the alteration, extension and change of occupancy of a building now occupied as a public market and stores (granted by the board October 3, 1924) to its original occupancy of motion picture theatre and stores; premises 799-805 Washington avenue, southeast corner of Lincoln place (Block No. 1180, Lot No. 6), Brooklyn.
HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1935, 2 P. M.

Petition for Variation.

286-34-S—12 Gratton street (Block No. 3102, Lot No. 11), Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 15, 1935, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 243-34-BZ—Application, August 20, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of A. R. Olson Bldg. Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2909-2917 86th street and 525-535 Van Sicklen street, northeast corner (Block No. 7169, Lot No. 28), Borough of Brooklyn.

CAL. NO. 267-34-BZ—Application, September 24, 1934, under section 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Rosa B. R. Heintz and Jacob Siegal, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises east side of Jerome avenue, 160.8 ft. north of East 213th street (Block No. 3329, Lot No. 92), Borough of the Bronx.

CAL. NO. 269-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Marcus Cohn, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Woodhaven boulevard and 162nd avenue (Block No. 4040, Lot No. 87), Aqueduct, Borough of Queens.

CAL. NO. 53-29-BZ—Application of Edward L. Kelly, on behalf of Harry Barrow, owner, reopened December 11, 1934, for consideration as to an extension of time to complete work—time having elapsed—re Application, granted on certain conditions under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station; premises 5231-5247 Kings highway, northeast corner of Foster avenue (Block No. 7949, part of Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

Applicants, under the building zone resolution, are entitled to one copy only of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, DECEMBER 11, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, December 4, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, December 4, 1934, were approved as printed in Bulletin No. 50, Vol. XIX.

BUILDING ZONE CASES.

243-34-BZ.

APPLICANT—Samuels and Samuels, for A. R. Olson Bldg. Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2909-2917 86th street and 525-535 Van Siclen street, northeast corner (Block No. 7169, Lot No. 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Mrs. B. Seburger, Mrs. F. Bonna, Mrs. Chimenti, Anna De Biase and Carmella Notturmo.

ACTION OF BOARD—Laid over to January 15, 1935, at 2 p. m., for report of committee on inspection. No further argument.

267-34-BZ.

APPLICANT—Scacchetti & Siegel, for Rosa B. R. Heintz and Jacob Siegel, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—East side of Jerome avenue, 16008 ft. north of East 213th street (Block No. 3329, Lot No. 92), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward C. McLaughlin and Max Siegel.

For Opposition: Herman Boxer, L. C. Squire for Dept. of Parks, and C. E. Bogart.

ACTION OF BOARD—Laid over to January 15, 1935, at 2 p. m., for report of committee on inspection. No further argument.

269-34-BZ.

APPLICANT—Samuels and Samuels, for Marcus Cohn, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Woodhaven boulevard and 162nd avenue (Block No. 4040, Lot No. 87), Aqueduct, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Herman Rosenblock.

ACTION OF BOARD—Laid over to January 15, 1935, at 2 p. m., for report of committee on inspection. No further argument.

354-32-BZ.

APPLICANT—Samuel Oliphant, for Charles A. McKeon, lessee.

SUBJECT—Application reopened November 20, 1934, for consideration of extension of permit re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, granted on certain conditions, permitting in a business district the maintenance of parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—598 Flatbush avenue, west side, 176 ft. 7¼ in. north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(354-32-BZ)

WHEREAS, Charles A. McKeon, lessee, for Dan-Irv Realty Corp., owner, filed June 16, 1932, an application under the building zone resolution to permit in a business district the maintenance of parking space for more than five (5) motor vehicles; premises 598 Flatbush avenue, west side, 176 ft. 7¼ in. north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn; and

WHEREAS, the application was granted by the board November 4, 1932, on certain conditions and the time limit set by these conditions having expired, the case was reopened November 20, 1934, by vote of the board on request of Samuel A. Oliphant, acting for the lessee; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 11, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatbush avenue is in a business district; Ocean avenue is in a residence district; and Chester court is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 13, 1932—Applic. No. 6249-1932, reads:

"Proposed parking of more than five motor vehicles in a business use district is contrary to article 2, section 4a of zone resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 15.8 ft. on Flatbush avenue, a depth of approximately 264 ft. and a distance of 174 ft. 6 in. along the B. M. T. Railroad cut. It is proposed to maintain the occupancy of this plot for parking more than five motor vehicles. and

WHEREAS, this application was the subject of an inspection by a committee of the board on November 8, 1934; verbal report of which inspection was submitted by the chairman on behalf of the committee; and

WHEREAS, the committee recommends the granting of this application for an additional period of two years; and the board deemed that the applicant was entitled to further relief under section 21.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21 for a period of two years from November 4, 1934 permitting the area as indicated on the plans filed with

MINUTES

this application to be used as an open-air parking space for more than five (5) motor vehicles during twenty-four hours of each day, *on condition* that there shall be no gasoline stored on the premises except in the tanks of the cars; that the lights for general illumination shall be limited to not over 100-watt each, spaced at least 25 ft. apart and equipped with metal reflectors, so arranged as to reflect the light downwardly; that any advertising signs shall be confined to one sign on the Flatbush avenue frontage of premises, indicating the name and nature of business conducted thereon, said sign to be not larger

than 6 ft. by 6 ft.; that there shall be no additional building erected on the premises during the continuation of this variation; that all permits required shall be obtained within three months and all work involved shall be completed within six months from the date of this resolution.

Adjourned, 12:30 p. m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 11, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

261-34-BZ.

APPLICANT—Wood & Marshall, for Samuel H. Baylis and Sheldon F. Baylis, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles.

PREMISES AFFECTED—93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Clifford B. Marshall.

For Opposition: Sol. A. Herzog.

ACTION OF BOARD—Laid over to January 8, 1935, at 2 p. m., for applicant to file revised plans.

318-34-BZ.

APPLICANT—The New York Central Railroad Co., owner.

SUBJECT—Application (re order of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a retail use district the maintenance of a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—25-43 Vanderbilt avenue (Block No. 1280, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4
Negative 0
Absent 0

319-34-BZ.

APPLICANT—The New York Central Railroad Company, owner.

SUBJECT—Application (re order of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the

maintenance of a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—412-414 Lexington avenue (Block No. 1280, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

492-29-BZ.

APPLICANT—Charles Schaefer, Jr., for Stephen Theobald, owner.

SUBJECT—Application for reopening—restoration to the Calendar, having been previously withdrawn—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the alteration and conversion of occupancy of the 1st story of an apartment house from residence to business use (stores).

PREMISES AFFECTED—2183-2185 Grand Concourse, west side, 94 ft. south of East 182nd street (Block No. 3162, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles Schaefer, Jr., Stephen Theobald and H. Pfuderman.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

53-29-BZ.

APPLICANT—Edward L. Kelly for Harry Barrow, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5231-5247 Kings highway, northeast corner of Foster avenue (Block No. 7949, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

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ACTION OF BOARD—Application reopened, calendar call waived and set for hearing January 15, 1935, at 2 p. m.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

238-34-BZ.

APPLICANT—Lama & Proskauer, for David F. Walsh, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Irving I. Steinman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(238-34-BZ)

WHEREAS, Lama & Proskauer, for David F. Walsh, owner, filed April 15, 1934, an application under the building zone resolution to permit in a residence district the erection and maintenance of a gasoline service station; premises: 480-492 Hemlock street, northwest corner of Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 11, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Conduit boulevard, Hemlock street, Glenmore avenue are residence and business; Liberty avenue is business; and

WHEREAS, the decision of the commissioner of buildings, rendered August 6, 1934, re Applic. No. 10165-1934, reads:

"Proposed gasoline service station to be located in a residential district is contrary to article 2, section 3 of zone resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 118 ft. 6 in. on Conduit boulevard, 135 ft. on Hemlock street, and a distance of 100 ft. along the north lot line. Upon the northwest portion of the plot it is proposed to erect a one-story building, 22 ft. by 60 ft. in area, to be used as grease pits, office and automobile laundry; it is proposed, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 238-34-BZ.

Premises: 480-492 Hemlock street, northwest corner Conduit boulevard (Block No. 4198, Lot No. 19), Borough of Brooklyn.

This is an application for a zoning variance to permit a gasoline station on a plot with a frontage approximately 118 ft. on Conduit boulevard as widened and a depth on Hemlock street of approximately 135 ft. The plot is in a district zoned for residence use. This plot is irregular only because of the angles at which Conduit boulevard intersects the side streets. Two applications for gasoline stations have recently been before the board. Both are across Conduit boulevard, one near Crescent street, the other near Hemlock street. Both are irregular, but much smaller and also in the residence use district. The board was upheld by the Supreme Court in one—505-32-BZ—Reversed by the Supreme Court upon the report of the referee in the other—14-33-BZ—Appeal has been taken on this latter to the Appellate Division. On the block to the west where Conduit boulevard meets Liberty avenue at an acute angle, the board granted a gasoline station under Cal. No. 221-32-BZ. This was, however, in a district zoned for business use and also facing Liberty avenue, which has an elevated structure. While there are non-conforming uses adjacent, they are of long standing, except the one gasoline station, and there are none along Conduit boulevard at this point.

Conduit boulevard is shown on the City map to be widened to 140 ft. This widening has not yet taken place. The property required has been condemned but title has not vested in the City. Formerly property owners along Conduit avenue had no legal frontage but frontage will be given them on the widened thoroughfare. As a part of this widening the triangular block No. 4199 between Conduit boulevard and Crescent street and Glenmore avenue will be entirely taken by the City, thus forming a large plaza directly in front of the premises under appeal.

In 1924 the board of estimate and apportionment changed to a residence use district most of the frontage along Conduit boulevard from Atlantic avenue to the Borough line. The district was formerly unrestricted. This owner purchased the plot under appeal seven years ago, that is three years after it had been changed to a residence district. He has held it as a speculative investment. Very little change has taken place in this area since the zoning change. To discuss surrounding conditions now is to rehearse what was before the board of estimate when the change to residence use was made. Changes can hardly be expected prior to the actual widening of Conduit boulevard. When that is accomplished and real estate conditions improve it is to be expected that this area will be developed as intended by the zoning prescribed by the board of estimate. If it does not, then the board of estimate should change it back to unrestricted or business. This particular plot will be advantageously situated opposite a wide plaza for a conforming development. In the opinion of the committee which has inspected this area on several occasions and particularly in reference to this plot on December 6, 1934, it would be improper to grant the desired non-conforming use in view of planned improvement and the rezoning by the board of estimate. Considerable frontage will be taken from the owner's plot and the payment by the City which may be expected soon even though the actual road construction is not carried out at once should well compensate him for carrying the property vacant.

The committee noted that many of those objecting to the variance are owners of property similarly situated, while those consenting are removed from Conduit boulevard except two, owners of small triangular remnants one of whom is the owner of the small plot on which the court has overruled the board's denial for a gasoline station.

At this time it can be readily claimed and generally proven by figures that conforming developments cannot be profitably constructed, but the court has

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said that the present depression cannot be relied upon to upset zoning or used as a claim for hardship where property has been held vacant for speculation.

In the opinion of the committee this variance should not be granted to the detriment of owners of adjacent property whose holdings would suffer before they are able to participate in the improvement of Conduit boulevard.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of this application, the board deemed that applicant had failed to substantiate his basis of appeal under section 21—unnecessary hardship, and, therefore, was not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

258-34-BZ.

APPLICANT—J. M. Felson, for 2230 Grand Concourse Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence district the erection and maintenance of a building to be used in part for business purposes (stores).

PREMISES AFFECTED—Northeast corner of East 182nd street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: J. M. Felson.

For Opposition: None.

ACTION OF BOARD—Application granted, on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(258-34-BZ)

WHEREAS, J. M. Felson, for 2230 Grand Concourse Corp., owner, filed October 15, 1934, an application under the building zone resolution to permit in a residence district the erection and maintenance of the building to be used in part for business purposes (stores); premises: northeast corner of East 182d street and Grand Concourse (Block No. 3158, Lot No. 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 11, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Concourse is residence. Ryer avenue is residence, and East 182d street is residence; and

WHEREAS, the decision of the commissioner of buildings, rendered October 8, 1934 (re N. B. Applic. No. 237-1934), reads:

"1. Erection of proposed building to be occupied partly for business uses (stores) in residence district is contrary to provisions of building zone resolution."

and

WHEREAS, the proposed building is to be non-fireproof construction, 6 stories in height, with a frontage of 97 ft. on Grand Concourse and a depth of 134.6 ft. on East 182d street, to be occupied as stores and apartments; and

WHEREAS, the property in question was the subject of an inspection by a committee of the board on December 6, 1934, a verbal report of which inspection was submitted by the chairman in behalf of the committee; and

WHEREAS, this report recommended the granting of this application and the board deemed that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 *on condition* that these stores shall be limited to the street floor and shall be constructed in conjunction with a multiple dwelling covering the entire plot within the legal limitations and not less than 4 stories in height; that these stores shall be confined to the frontage on Grand Concourse except that there may be an entrance to the corner store from 182d street within a distance not more than 10 ft. easterly from the intersection of Grand Concourse and East 182d street; that all openings to these stores east of that point shall be confined to windows the sills of which are at least 6 ft. above the sidewalk grade; that there shall be no openings from these stores to courts or other open spaces other than windows; that such windows shall have their sills at least 6 ft. above the street floor level and shall be fireproof and self-closing; that all objectionable and extra hazardous uses shall be excluded from these stores, excluding the sale of fish, poultry and delicatessen and also excluding baking ovens; that there shall be no sidewalk display of merchandise of any kind; that signs shall be limited to signs on the plate glass windows only; that all permits shall be obtained within 6 months and all work completed within 1 year from the date of this action.

207-34-BZ.

APPLICANT—Herman Kron, for Anna Shattan, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—97 Steuben street, northeast corner of Beverly road (Block No. 3233, part of Lot No. 1), Grassmere, Borough of Richmond.

APPEARANCES—

For Applicant: None.

For Opposition: J. Dinkel and H. E. Gibbs representing President, Borough of Richmond.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Absent	0

THE RESOLUTION—

(207-34-BZ)

WHEREAS, Herman Kron, for Anna Shattan, owner, filed July 12, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 97 Steuben street, northeast corner of Beverly road (Block No. 3233, Part of Lot No. 1), Grassmere, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 11, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Steuben street is in a business district; Beverly road is in a residence and business

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district; Fingerboard road is in a business district, and Briarcliff road is in a residence and business district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 26, 1934, re N. B. Applic. No. 148-1934, reads:

"Your application N. B. 148-1934 to erect a gasoline selling station at premises northeast corner of Steuben street and Beverly road, 97 Steuben street, Grassmere, Borough of Richmond, is hereby disapproved, it being contrary to the zoning resolution to erect a gasoline selling station in a business zone."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 128 ft. 8 in. on Steuben street and 100 ft. on Beverly road upon which it is proposed to erect a one-story office 14 ft. by 23 ft. in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 207-34-BZ.

Premises: 97 Steuben street, northeast corner Beverly road (Block No. 3233, Lot No. 1), Grassmere, Borough of Richmond.

A committee of the board inspected this site and the adjacent area on December 6, 1934. The plot under appeal for which a zoning variation is desired to permit occupancy as a gasoline station is in an area zoned for business use adjoining an area zoned for residence use. Steuben street, upon which the property fronts, has recently been constructed and connects with Hylan boulevard through an area formerly a large estate which has been subdivided. In the opinion of the committee, Steuben street should be zoned for residence use as it apparently was, prior to being changed to business use in 1927, in order to preserve this section for such use, development of which has been commenced and is temporarily halted. In common with other adjoining owners who likewise are carrying vacant property which has been subjected to considerable expense for street improvements, the carrying charges are heavy, but the committee sees no justice in permitting a non-conforming prohibited use at this location to the detriment of the section and the adjoining owners, to the financial advantage of this owner only. No additional gasoline stations are needed in this general area. There are two stations within a few hundred feet on Hylan boulevard near Fingerboard road and others along Hylan boulevard.

This owner has purchased this plot under appeal and adjoining lots as an investment or as a speculation, and because of the present depressed conditions in real estate desires a prohibited use irrespective of the effect on other owners. Those who appeared at the hearing in opposition expressed their disapproval and the committee is of the opinion that their objections should be recognized. There has been no hardship shown except the financial hardship of carrying land vacant which was purchased in 1925, apparently at that time not ripe for immediate development.

The Appellate Division in the Richmond Gas case has recently well stated the principle which applies to this case:

"Present economic conditions, which are practically universal, do not justify a nullification of the zoning laws where the showing is that if nullified by permitting such nonconforming uses as here proposed, the owner can obtain a better return than by a compliance with the zoning law."

The committee recommends that the application be denied.

(Signed) HARRIS H. MURDOCK,
Chairman
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of this application and the board deemed that applicant had failed to substantiate his basis of appeal under section 21—unnecessary hardship, and, therefore, was not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

195-34-BZ.

APPLICANT—William F. Regan, for Hattie M. Marks, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas O'Rourke Gallagher.

For Opposition: Leo J. Markel and Frank A. Byrne.

ACTION OF BOARD—Application dismissed for lack of jurisdiction.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(195-34-BZ)

WHEREAS, William F. Regan, for Hattie M. Marks, owner, filed July 2, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 1255-1261 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn; and

WHEREAS, the use district maps accompanying the building zone resolution show that Coney Island avenue is in a business district. Avenue I is in a business and residence district, and East 12th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered July 2, 1934, re Applic. No. 8314—1934, reads:

"Proposed gasoline service station to be located in a business use district is contrary to article 2, section 4a of zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 59 ft. 7 in. and a depth of 100 ft., upon which are located several one-story structures used as an office, grease pits and an automobile laundry. It is proposed to install on the unoccupied portion of the plot (as shown upon filed plans) three 550-gallon tanks and three pumps for use as a gasoline service station; and

WHEREAS, when this case was called the question was raised as to the jurisdiction of the board to hear said case in view of the fact that there was a school within the prohibition of section 21 on this street between the intersecting streets, and the case was adjourned to enable

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the attorney for the applicant to present his argument as to the school and the jurisdiction of the board; and

WHEREAS, the case was thereafter adjourned to permit an inspection by a committee of the board, which inspection was made and report read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 195-34-BZ.

Premises: 1255-61 Coney Island avenue, east side, 40 ft. south of Avenue I (Block No. 6704, Lot No. 4), Borough of Brooklyn.

This application is for a zoning variance to permit a gasoline service station in a district zoned for business use on Coney Island avenue between Avenues I and J.

The third paragraph of section 21 of the zoning resolution is as follows:

"No gasoline service station may be erected or extended on any portion of a street between two intersecting streets in which portion there exists an exit from or an entrance to a public school; and in no case within a distance of 200 ft. from the nearest exit from or entrance to a public school. This protection shall also apply to duly organized schools for children under 16 years of age, giving regular instruction at least five days a week for eight months or more each year, owned and operated by any established religious body or educational corporation."

On this block are two buildings used as schools. One is on the same side of the avenue as the proposed gasoline station. The other is directly across the street at the southwest corner of Avenue I and is known as Young Israel of Flatbush. It is conceded by the applicant that this school falls within the prohibition, but it is contended that the entrance is not within the block but on Avenue I. The main entrance and exit to this school building is on Avenue I, but there is another entrance or exit at the southeasterly corner of the building opening upon a side court leading directly to Coney Island avenue. It is contended that this is not an entrance or an exit within the meaning of the zoning provisions because it is in the nature of a fire exit stair and is not regularly used.

Photographs filed with this application do not show this school building. On two occasions, November 8, 1934, and December 6, 1934, a committee of the board has inspected this stairway. The building is three stories and basement in height. The basement is used mainly as a school gymnasium, the upper stories for school rooms and offices and auditorium with balcony. It is a requirement of such a building used for public assembly purposes that there must be two means of exit. This exit to Coney Island avenue is through a door 3 ft. 6 in. wide leading from an enclosed stairway 3 ft. 6 in. wide, which runs from the basement to the top floor. The treads for the main story are of travertine marble indicating its use was intended for more than an emergency exit. Information furnished by the school children, the office assistant and the janitor and also observation by the committee, clearly indicate that this is a regularly used entrance and exit.

It is also contended that this prohibition in section 21 does not prevent the Board of Standards and Appeals from granting the zoning variance applied for. In this respect the committee deems that the board is without power because of rulings of the highest court.

In the case of Jane David Holding Corp'n v. Murdock, the conditions were similar. The board denied the application and was sustained in all courts. The board assumed in that case (because of previous court rulings) that if the school came within the descrip-

tion the board was without power to act. The court decided with the board that the school fell within the description in section 21 and stated "This is the sole issue presented" and "To hold that under these circumstances the yeshiva is not to be accorded the benefit of the section would frustrate the very object which led to its adoption," and, further, "the constitutionality of section 21 of the amended building zone resolution as here applied is unquestioned."

The board was of the opinion that this decision clearly showed that the board was without power to grant a variance, particularly as in a previous case, *Boyd v. Walsh*, the Court of Appeals affirmed the decision of the Appellate Division which in a lengthy opinion stated in effect that, while the board previously had power under section 20 (now section 21) to grant a variance, the amendment of June 6, 1919, as to garages on the same block with a school, deprived the board of any power to act, so the mandatory provision of section 20 was not unconstitutional. The later amendment as to gasoline stations, adopted May 22, 1925, must be considered in the same category.

The committee is of the opinion that the board has no power to act on this application and recommends dismissal because of lack of jurisdiction.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, the Board deemed that it was without power to act on this application and recommended dismissal.

Resolved, that the application be and it hereby is *dismissed for lack of jurisdiction*.

272-34-BZ.

APPLICANT—Benjamin Millstein, for John J. Tully, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin Millstein.

For Opposition: Frederick C. Thomson, Lew F. Walter, Philip I. Globerman and B. Colleth.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(272-34-BZ)

WHEREAS, Benjamin Millstein, for John J. Tully, owner, filed September 25, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 901-907 Morris Park avenue and 1800-1804 Bronxdale avenue, northeast corner (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 11, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Morris Park avenue is busi-

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ness; Bronxdale avenue is business, and Fowler avenue is residence and business; and

WHEREAS, the decision of the commissioner of buildings, rendered September 11, 1934, re Applic. No. 217-1934, reads:

"1. Erection of building and occupancy of premises in business district for use as gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 102 ft. on Morris Park avenue and 76 ft. on Bronxdale avenue; upon which it is proposed to erect a two-story office 20 ft. by 20 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was the subject of an inspection by a committee of the Board, which inspection was made and report read at this hearing; and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 272-34-BZ.

Premises: 901-907 Morris Park avenue, 1800-1804 Bronxdale avenue (Block No. 4123, Lot Nos. 32, 33 and 34), Borough of The Bronx.

A committee of the board inspected this site and the surrounding area on December 6, 1934. The plot is in an area zoned for business, which zoning use prevails along both the wide and important thoroughfares of Morris Park avenue and Bronxdale avenue at the northeast corner of which this site under appeal is located.

The committee commends the applicant for a very complete presentation of his owner's case. Except for the depression, however, few of the reasons presented as constituting hardship would exist. The subway may not be built for some time, but this area is served by transportation equal if not exceeding that of many parts of the city. At this important corner it is difficult to find that hardship, as meant under the zoning resolution, exists. This owner, like many others who are carrying vacant property, is experiencing financial hardship. Rental figures and construction figures cannot be taken at this time as conclusive evidence of hardship. Any plot situated nearby or in other similar sections could be put to the same test and similar deductions drawn. If it were not so, building would be going on at this time when it is generally recognized that there is no unusual surplus of accommodations. Rentals at present are too low and construction costs are too high and mortgage money is too scarce to permit building. These factors may change sooner than generally expected, and what is now claimed as hardship will, in the opinion of the committee, disappear.

The diagrams filed with the application, as well as the photographs, while meeting the requirements, do not show the true condition of the development of the section as disclosed by the committee's inspection. The non-conforming uses are referred to. If these are illegal, attention of the Commissioner of Buildings should be called to them. As far as cases before this board are concerned, there have been several where gas stations have been desired and the board has denied them. One was at the corner opposite. There appears to be an ample number of gas stations in the nearby vicinity. Four within three or four blocks are recorded.

Objections filed prior to and at the hearing show a preponderance of owners opposing this application. As expressed by one objector, this gas station would hurt the neighborhood and will deteriorate it and depreciate values; that they have resisted applications for gasoline stations in this vicinity and wish to preserve their properties, which in some cases were

purchased years ago, even prior to the paving of Bronxdale avenue; that they have been carrying vacant property at a great loss, but expect a return of better conditions.

The plans filed of the proposed gasoline station with open grease pits and nothing suggested to reduce the objectionable features or protect neighboring properties would, if carried out, result in a deterioration of the area.

The committee cannot find that hardship has been proven. There is a temporary financial hardship which has been continuing during the years of the depression and which is now acute because of threatened foreclosure. The board, however, must follow the dicta of the courts, as expressed in the Fordham Manor case and particularly in the recent cases of the N. Y. and Richmond Gas Co. and the Arseekay Syndicate, Inc. The board may or may not have been correct in the case referred to by the applicant at Fifth avenue and 110th street (Cal No. 249-33-BZ). The situation there was entirely dissimilar to this and, furthermore, while the board was upheld by the Supreme Court, special term, and the Appellate Division, the case is now before the Court of Appeals, where a determination with opinion as to the board's findings of hardship, is awaited.

In this case, the committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application and the board deemed that applicant had failed to substantiate his basis of appeal under section 21—unnecessary hardship, and, therefore, was not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

548-30-BZ.

APPLICANT—Conroy & Hardy, for Maurer & Kern, Inc., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence district the erection and maintenance of an auto laundry, grease pits and a gasoline service station.

PREMISES AFFECTED—1344-1372 Remsen avenue, northwest corner of Avenue K (Block No. 8041, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(548-30-BZ)

WHEREAS, this application affecting premises 1344-1372 Remsen avenue, north west corner of Avenue K (Block

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No. 8041, Lot No. 1), Borough of Brooklyn, was granted by the Board January 6, 1931, on certain conditions, and time extended January 4, 1933, July 8, 1933 and December 3, 1933, and applicant requests a further extension.

Resolved, that the Board of Standards and Appeals *does* hereby *amend* its resolution of January 6, 1931, extending the time within which to obtain permits to June 2, 1935 and the time within which to complete the work to December 2, 1935; and that other than as herein amended the resolution of the board adopted January 6, 1931, shall be complied with in all respects.

122-32-BZ.

APPLICANT—Kessler, Rothman and Kessler, for William Peat, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—416-426 West 204th street (Block No. 2200, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Applicant: S. J. Kessler.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(122-32-BZ)

WHEREAS, this application affecting premises 416-426 West 204th street (Block No. 2200, Lot No. 15), Borough of Manhattan, was granted by the board June 3, 1932, on certain conditions, time extended November 21, 1933, and applicant requests a further extension.

Resolved, that the Board of Standards and Appeals *does* hereby *amend* its resolution adopted June 3, 1932, in view of statement made by representative of the applicant that all permits have been obtained, to extend the time within which to complete the work involved to before December 3, 1935; that other than as herein amended, the resolution of the board adopted June 3, 1932, shall be complied with in all respects.

62-34-BZ.

APPLICANT—Henry G. Harrington, for Dagmar Matsen Clements, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the alteration of a structure occupied as garage and motor vehicle repair shop so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry G. Harrington.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(62-34-BZ)

WHEREAS, this application affecting premises 6502-6504 Fort Hamilton parkway, southwest corner of 65th street (Block No. 5750, Lot Nos. 19 and 20), Borough of Brooklyn, was granted by the board June 26, 1934, on certain conditions, and applicant requests an extension of time.

Resolved, that the Board of Standards and Appeals *does* hereby *amend* its resolution adopted June 26, 1934, in view of statement by applicant that all plans have been approved, to extend the time within which to complete the work to within one year from the date of this amended resolution; that other than as amended herein, the resolution adopted by the board on June 26, 1934, shall be complied with in all respects.

135-34-BZ.

APPLICANT—Benjamin Chester, for Rose Karron, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, permitting in a residence use and also "D" area district the extension of an existing factory building and also, the omission of the required rear yard.

PREMISES AFFECTED—822-840 Pennsylvania avenue, west side, 195 ft. south of Linden boulevard (Block No. 4346, Lot Nos. 17 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Chester.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(135-34-BZ)

WHEREAS, this application affecting premises 822-840 Pennsylvania avenue, west side, 195 ft. south of Linden boulevard (Block No. 4346, Lot Nos. 17 and 20), Borough of Brooklyn, was granted by the board July 10, 1934, on certain conditions and applicant requests an amendment of the resolution.

Resolved, that the Board of Standards and Appeals *does* hereby *amend* its resolution adopted July 10, 1934, so that as amended it will read:

"Granted under sections 7a and 21 of the building zone resolution, *on condition* that the rear wall of the second story shall be at least 18 ft. distant from the rear lot line as far as the existing building is

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concerned and at least 24 ft. distant from the rear lot line as to the southerly extension; that the existing 4 ft. yard at the basement level shall be maintained across the entire rear of the property; that there shall be constructed a side court along the southerly interior lot line for a width of 5 ft., as indicated on revised plan marked 'Received November 21, 1934'; that there shall be constructed along the rear property line a tight board fence at least 6 ft. in height; that there shall be no heavy presses or other stamping or similar machinery installed in the proposed addition either on the basement or main floor; that there shall be no rear basement windows on the new rear building wall; that such skylights as may be installed shall be glazed with wire plate glass; that this variance shall continue only so long as this building is used for its present use of manufacturing novelties for pocketbooks; that the building shall not be further increased in height or area; that other than as amended herein the building throughout shall comply with the requirements of the code of ordinances and the labor law and all other laws and regulations applicable thereto, that all permits shall be obtained within 6 months and all work involved completed within one year from the date of this action."

227-20-BZ.

APPLICANT—Samuel Rosenblum, for Goble Jerome Co., Inc., owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings under sections 7c and 21 of the building zone resolution, permitting in a business district, extending from an unrestricted district, the alteration and conversion of an existing garage for more than five (5) motor vehicles to be used in part for a gasoline service station.

PREMISES AFFECTED—1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, part of Lot No. 50), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(227-20-BZ)

WHEREAS, this application affecting premises 1545 Jerome avenue, northwest corner of Goble place (Block No. 2859, Part of Lot No. 50), Borough of The Bronx, was granted by the board May 11, 1920, amended November 20, 1934, and present applicant Samuel Rosenblum requested a further amendment.

Resolved, that the resolution adopted by the Board of Standards and Appeals on November 20, 1934, *be* and it *hereby is amended*, to read as follows:

"That the southerly portion of the garage building may be reconstructed as indicated on revised plans marked 'Received December 5, 1934' to permit the installation of a gasoline selling alcove and grease pits, *on condition* that there shall be constructed parallel to Jerome avenue and at least 26 ft. therefrom a brick wall faced with face brick to agree with the balance

of the building and for the full height thereof; that all windows in this wall shall be fireproof with metal frames and glazed with wire glass; that there shall be but one door for the passage of automobiles from this gasoline alcove into the garage and one door into the proposed office, as indicated; that the grease pit alcove shall be cut off from the balance of the garage with walls of approved masonry from floor to roof; that the front of this grease pit alcove shall be left open; that the entire gasoline selling alcove shall be cement paved; that there shall be no open excavation under this alcove or under the grease section except pits for the greasing racks; that gasoline pumps erected shall be not nearer than 10 ft. from the street building line or nearer than 10 ft. to the recessed garage front wall; that the entire length of this gasoline station shall not exceed 97 ft.; that the curb cuts shall not exceed those in existence, nor in any event exceed two (2) from Jerome avenue and one (1) from Goble place with a width not exceeding 25 ft. each; that there shall be no portable gasoline pumps used on or from the premises in which this gasoline selling alcove is permitted; that there shall be no automobile repairing permitted on the premises; that all advertising shall be limited to the illuminated globes of the gasoline pumps and to a permanent sign attached to the face of the building; that no gasoline shall be dispensed within the interior of this section of the garage building; that all permits shall be obtained within six (6) months and all work completed within one (1) year from the date of this action."

233-32-BZ.

APPLICANT—Richard Vom Lehn Sons, for Treselmina Co., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—267-271 Eastern Parkway Extension, northeast corner of Rockaway avenue (Block No. 1455, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Richard Vom Lehn, Jr.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(233-32-BZ)

WHEREAS, this application affecting premises 267-271 Eastern Parkway Extension, northeast corner of Rockaway avenue (Block No. 1455, Lot No. 1), Borough of Brooklyn, was granted by the board September 23, 1932, reaffirmed and amended November 8, 1933, and appellant requests a further amendment extending the time.

Resolved, that the resolution adopted by the Board of Standards and Appeals on September 23, 1932, *be* and it *hereby is amended*, in view of statement made by the president of the owning corporation, that all plans have been approved and all permits obtained and still in force,

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to extend the time within which to complete the work to within one year from the date of this amended resolution, *on condition* that other than as amended herein, the resolution adopted by the board on September 23, 1932, shall be complied with in all respects.

630-29-BZ.

APPLICANT—John M. Baker, for Victory Park-Sites Realty Corporation, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) to permit under section 21 the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—137-30 Queens boulevard, southeast corner of Van Wyck boulevard (Block No. 708, part of Lot No. 1), Briarwood, Borough of Queens.

APPEARANCES—

For Applicant: John M. Baker and Conrad O. Stumpf.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(630-29-BZ)

WHEREAS, this application affecting premises 137-30 Queens boulevard, southeast corner VanWyck boulevard (Block No. 708, Part of Lot No. 1), Borough of Queens (originally filed as 37-30 Queens boulevard and 137-27 Barret street, southwest corner) was granted by the board May 11, 1933, amended July 11, 1933 and May 22, 1934, and applicant through his architect John H. Baker requested a further amendment.

Resolved, that the resolution of the board adopted on May 22, 1934, as amended by resolution approving plans of July 11, 1933, be and it hereby is *amended* to read as follows:

"Granted under section 21, to permit a gasoline service station on the premises between Queens boulevard and VanWyck boulevard of the following dimensions: starting at the intersection of Queens and VanWyck boulevards and running southerly for a distance of 170 feet along Queens boulevard; thence in a line approximately parallel to the line of Barret street for a distance of approximately 113 ft. to VanWyck boulevard; thence northerly along VanWyck boulevard for a distance of approximately 176 ft. to the place of beginning of the intersection of Queens boulevard, *on condition* that accessory buildings shall be located toward the southerly end of the lot as indicated on revised plans marked 'Received November 19, 1934'; that the accessory buildings shall not exceed one story in height and shall be constructed of face brick and fireproof materials except that the roof beams, roof boarding, windows, doors, cornice trim and cupola may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals, and the roofs surfaced with non-inflammable material; that there shall be no open excavation under any of these buildings; that if the greasing racks are of the hydraulic type, requiring no pits, the front of the greasing section may have overhead enclosing

doors; that there shall be constructed along the street building lines a reinforced concrete curb not less than 12in. in width and 5 in. in height with rounded top, with no openings therein except two (2) to Queens boulevard and two (2) to VanWyck boulevard, as indicated on plans marked 'Received November 19, 1934'; that none of these openings shall exceed 25 ft. in width that the southerly curb cut indicated on VanWyck boulevard shall not exceed the width between the existing subway gratings, unless proper approvals are obtained from the board of transportation to cross the gratings after approved reinforcement of same has been constructed; that the entire area where not covered by accessory buildings and by areas for pumps and planting, as indicated, shall be either paved with cement or asphalt; that landscaping shall be maintained in the areas so marked and around these areas shall be constructed concrete curbing, as indicated; that the gasoline pumps installed shall be located only as indicated on the plans marked 'Received November 19, 1934'; and in no case nearer than 10 ft. from either street building line; that the gasoline pumps shall be constructed with masonry pedestals for a height of at least 4 ft.; that advertising signs shall be limited to the illuminated globes of the gasoline pumps, prohibiting temporary signs of every nature; that there shall be no portable gasoline pumps used on or from the premises; that there shall be no motor vehicle repairing carried on and no parking of cars permitted except cars being serviced; that there shall be no open flame permitted on the premises; that all permits required shall be obtained within six months and all work completed within one year from the date of this amended resolution.

109-34-BZ.

APPLICANT—Jacob Lubroth, for Louis Greenstein, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the extension of an existing gasoline service station and also the erection and maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—Southwest corner of Myrtle avenue and Cypress Hills street (Old Fresh Pond road), (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(109-34-BZ)

WHEREAS, this application affecting premises southwest corner of Myrtle avenue and Cypress Hills street (Old Fresh Pond road) (Block No. 2915, Lot No. 7), Ridgewood, Borough of Queens, was granted by the Board November 20, 1934 on certain conditions, and the owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals *does* hereby *amend* its resolution adopted November 20, 1934,

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so that as amended it will read as follows:

"Granted, under section 21, permitting the extension of an existing gasoline station to occupy the area as indicated on plans filed with this application marked 'Received August 6, 1934', on condition that all buildings, including iceman's shanty and sign structures, shall be removed from the premises, except the recently constructed one-story accessory building, and permitting the plot to be used as a gasoline station and for parking of cars, with entrances limited to the existing frontage along Cypress Hills street as at present used and one existing entrance only from Myrtle avenue; that on the interior lot lines from Myrtle avenue southerly and thence generally easterly to the building line of Cypress Hills street there shall be erected a new tight board painted fence not less than 7 ft. in height, except that this fence may be omitted where there are existing brick walls of adjacent or accessory buildings; that the entire plot where not occupied by walls or fences and existing one-story accessory building shall be paved with cement or asphalt; that the gasoline pumps shall be limited to eight (8) pumps as indicated and located not nearer than 10 ft. from Cypress Hill street building line nor nearer than 15 feet from the Myrtle avenue building line; that the existing one-story accessory building shall be limited to use as office, sales and automobile accessories and for greasing and washing of automobiles; that the number of cars permitted to be parked on the premises other than those being serviced shall not exceed ten (10); that parking shall be limited to the rear southerly spaces only; that no additional curb cuts shall be installed other than those now existing; that no automobile repairing shall be permitted on the premises; that advertising shall be restricted to the illuminated globes of the gasoline pumps and to a permanent flat sign attached to the facade of the accessory building, excluding all temporary signs; that lights for illumination shall be on pipe standards with metallic reflectors arranged to reflect downwardly; that no portable gasoline pump shall be used on or from the premises; that there shall be no open excavation under the accessory building except the pits for the greasing rack; that there shall be no open flame permitted on the premises; that all permits required shall be obtained within two (2) months and all work completed within six (6) months from the date of this amended resolution.

APPEALS FROM ADMINISTRATIVE ORDERS.

245-34-A.

APPELLANT—Preferred Utilities Company, Inc., for First National Oil Co., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—West side of Vernon boulevard, 90 ft. north of 43rd avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

APPEARANCES—

For Appellant: Frank Glanz.

For Administration: None.

ACTION OF BOARD—Laid over to January 29, 1935, at 2 p. m., for appellant to file revised plans.

159-33-A.

APPELLANT—Larry Meltzer, for Graham Brake Service Corp., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner (reopened and restored to calendar December 4, 1934, having been previously dismissed for lack of prosecution).

PREMISES AFFECTED—653 First avenue (Block No. 943, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Appellant: Larry Meltzer.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Laid over to December 18, 1934, at 2 p. m., for inspection by a committee of the board.

PETITIONS FOR VARIATIONS.

286-34-S.

PETITIONER—Jacob F. Gottesman, for Frank Gottesman & Morris Stander, owners.

SUBJECT—Variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—12 Gratton street (Block No. 3102, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Petitioner: Jacob F. Gottesman.

For Administration: None.

ACTION OF BOARD—Laid over to January 15, 1935, at 2 p. m., for inspection by a committee of the board.

538-24-S.

PETITIONER—Ansonia Fire Prevention Engineering Co., Inc., for The Trustees of Columbia University of The City of New York, owner.

SUBJECT—Application for reopening—amendment—re Petition for variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—19-21 West 36th street (Block No. 838, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Petitioner: Herman E. Horwood.

For Administration: Inspector Maher of Department of Buildings.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(538-24-S)

WHEREAS, this petition affecting premises 19-21 West 36th street (Block No. 838, Lot No. 30), Borough of Manhattan, was granted by the board June 10, 1924, on certain conditions, and owner through his representative, H. E. Horwood, requested an amendment of the resolution.

Resolved, that the resolution adopted by the board of Standards and Appeals on June 10, 1924, be and it hereby is amended to include the following:

"That in the event that the exit passageway through the building No. 20 to 24 West 37th street to 37th street, affording an exit from the two exterior stairways, is no longer available, Items 2 and 3 of Order 53794-LD, dated January 19, 1924, are hereby modified permitting exit from these two exterior stairways to be through the fireproof passage at the mezzanine floor level exiting through the hallway of the primary means of exit directly to 36th street, on condition that the total occupancy of the building shall not exceed 700 persons or more than 82 persons on any one floor

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above the first floor; that the two source sprinkler system shall be maintained in accordance with the rules of the Board of Standards and Appeals with Central Office connection and that the fire alarm system and fire drills shall be maintained in accordance with the rules of the Board of Standards and Appeals; and that the labor law shall be complied with in all respects other than as modified herein."

APPLIANCES SUBMITTED FOR APPROVAL.

1509-24-SA.

PETITIONER—John H. Derby, owner.

SUBJECT—Application for reopening—Amendment—change of name—re Usem Closed Circuit A.C. and D.C. 110-220 Volt Standpipe and Sprinkler Alarm Systems.

APPEARANCES—

For Petitioner: John H. Derby.

ACTION OF BOARD—Petition reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(1509-24-SA)

WHEREAS, this petition for the approval of the device known as the Usem Closed Circuit A.C. and D.C. 110-220 Volt Standpipe and Sprinkler Alarm Systems was approved by the board July 28, 1925, and the present owner of the device, John H. Derby, requested a change of name.

Resolved, that the Board of Standards and Appeals *does* hereby *approve* the device known as the Usem Closed Circuit AC and DC 110-220 Volt Standpipe and Sprinkler Alarm Systems, when installed in accordance with the report of the Chief of the Bureau of Fire Prevention, and permitting this system to be known as the John H. Derby Closed Circuit AC and DC 110 to 220 Volt Standpipe and Sprinkler Alarm Systems on and after the date of this amended resolution.

259-25-SA.

PETITIONER—The Brooklyn Electrol Corp., for The Electrol Incorporated, owner.

SUBJECT—Electrol Automatic Oil Burner, Models "C" and "EA", approval of.

APPEARANCES—

For Petitioner: J. J. Morro.

ACTION OF BOARD—Appliance approved.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(259-25-SA)

WHEREAS, Automatic Oil Burner Corp. filed, March 6, 1925, a petition for approval of their device known as the Electrol Automatic Oil Burner; and

WHEREAS, a committee of the board inspected this device in operation at 32 Lincoln street, Flushing, Borough of Queens; and

WHEREAS, the petition was granted by the board at its meeting June 29, 1925, approving the burner for use with Grade "B" Fuel oil and in domestic installations and petitioner has improved the burner incorporating a priming pump, electric ignition and electric automatic controls, and the board at its meeting November 3, 1926, approved the burner as improved for use with Grade "A" and Grade "B" fuel oil in domestic installations and petitioner requested its approval for commercial installations; and

WHEREAS, the Electrol Distributing Corp. requested approval of a modified burner known as the Electrol Automatic Oil Burner, Model BB, and a report of the chief of the bureau of fire prevention, dated November 3, 1932, recommends the approval of the Model BB for domestic and commercial installations; and

WHEREAS, a further request has been made for approval of the Electrol Automatic oil burner Models "C" and "EA"; and

WHEREAS, these Models "C" and "EA" were subject of a test and report by the engineer of the board and the representative of the bureau of combustibles of the fire department, and the report recommended the approval of these models for domestic use.

Resolved, that the Board of Standards and Appeals *does* hereby *approve* the Electrol Automatic Oil Burner as improved in accordance with report of engineer of the board, for domestic and commercial installations, using Grade "A" and Grade "B" fuel oil, *on condition* and in conjunction with installations and equipment complying with the rules of the Board of Standards and Appeals.

Resolved, further, that the Board of Standards and Appeals *does* also *approve* the device known as the Electrol Automatic Oil Burner, Model BB, for domestic and commercial installations when installed in accordance with the report of the chief of the bureau of fire prevention and the rules of the Board of Standards and Appeals.

Resolved, further, that the Board of Standards and Appeals *does* also *approve* the device known as the Electrol Automatic Oil Burner, Models C and EA for domestic installations, when installed in accordance with oil burner rules of the Board of Standards and Appeals and the report of the engineer of the board and the bureau of combustibles, fire department, for use with fuel oil not exceeding No. 3.

Adjourned, 4:50 p. m.

EDWARD V. BARTON, Chief Clerk.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

RULES

OIL BURNER RULES

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals
June 15, 1934

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

(a) No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

(b) These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

BURNER: A device designed for the purpose of burning oil.

DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

(1) The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

(2) One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

FIRE RETARDING MATERIALS:

(a) One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

(b) Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

OIL: Any liquid mixtures, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

PERMIT: Shall mean permit for storage of oil.

PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2 1/2) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

RELIEF VALVE: A valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

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STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

(a) Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester. (American Society for Testing Materials Method D93-22.)

(b) The use of crankcase refuse oil as fuel oil is strictly prohibited unless complying with flash point requirement in paragraph (a) above and is used with burners designed to burn No. 5 U. S. commercial standard grade oil.

Rule 4. Burners.

(a) Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

(b) Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

(c) The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick or mechanical device the movement of which is essential to flame adjustment; nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

Section 1. All Tanks Except Vertical Above-Ground Storage Tanks.

(a) All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or more shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and head plates shall be U. S. Standard 12 gauge (.109"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

(b) At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

(c) All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

(d) All 275-gallon storage tanks shall have permanently affixed the approval label of a nationally recognized standard testing laboratory not operated for commercial profit. They shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding hydrostatic test of 10 pounds per square inch without permanent deformation, rupture or leakage.

(e) All storage tanks of more than two hundred and seventy-five (275) gallons' capacity shall be designed for a maximum steel fibre stress of not more than 18,000 pounds per square inch and capable of withstanding a hydrostatic test without permanent deformation, rupture or leakage as follows:

(1) Oval, obround, rectangular, or specially shaped storage tanks, twenty pounds per square inch;

(2) Cylindrical storage tanks, fifty pounds per square inch.

(f) All cylindrical storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface.

(g) All buried storage tanks shall be thoroughly coated on the outside with hot tar, asphaltum, or other equivalent rust-resisting material, and where the tank is 48 inches or less in diameter the shell shall have a thickness of not less than $\frac{3}{16}$ of an inch and where the tank is over 48 inches in diameter the shell shall have a thickness of not less than $\frac{1}{4}$ of an inch.

(h) Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers permanently sealed; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

Section 2. Vertical Above-Ground Storage Tanks.

(a) All vertical above-ground storage tanks shall be built of new full weight American open hearth tank steel, free from physical imperfection. They shall be welded; or riveted and welded; or riveted and caulked. Filler of any kind between plates is prohibited. The minimum thickness of shell and bottom plates shall be one-quarter inch ($\frac{1}{4}$ ") and the minimum thickness of roof plates shall be one-eighth inch ($\frac{1}{8}$ ") and in no case shall the construction of the tank be less than the standard requirements of American Petroleum Institute specifications.

(b) The roofs of vertical storage tanks shall be designed to shed water and shall be permanently grounded to the tank shell. This, however, shall not exclude the use of floating steel decks.

(c) All above-ground storage tanks shall be electrically grounded.

(d) Vertical above-ground storage tanks shall be without permanent deformation and shall show no leaks when completely filled with water for test purpose prior to filling with oil.

Section 3. Storage Containers.

(a) Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4(b). Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4(b).

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Rule 6. Location of Tanks

Section 1. Inside of Buildings.

(a) Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6, Section 1(b). Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6, Section 1(b).

(b) Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimensions six inches (6") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than one foot (1') above the top of the tank and the space between the tank and the walls of the enclosure shall be completely filled with clean sand or well tamped earth.

(c) The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

(d) All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

Section 2. Outside of Buildings, Below Ground.

(a) Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.

(b) Along the line of subways no tank shall be placed within twenty (20) feet of any wall separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Section 3. Outside of Buildings, Above Ground.

(a) Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon.	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "

If distant 50 feet.....	48,000 gallons
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more.....	100,000 "

(b) Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity or not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

Rule 7. Piping.

Section 1. Installation of Piping.

(a) Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

(b) Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper or brass tubing, may be used. Flexible metal tubing, when used for conveying oil shall be adequately protected. Soldered connections are prohibited.

(c) Overflow pipes where installed shall not be smaller in size than the supply pipe.

Section 2. Relief Valves.

(a) Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

(b) Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

(c) Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valves in the line of relief.

Section 3. Vent Pipe.

(a) An open vent pipe of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

(b) Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

(c) Vents shall be not less than one and one-quarter inches (1¼") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

(d) Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two (2') feet from any building opening and not

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less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

Section 4. Fill Pipes.

(a) Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. Such fill pipe terminal shall be not more than twenty feet (20') from the curb or private right of way.

(b) Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

(c) Where the top of the storage tank is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

(d) All fill pipe terminals shall be designed to prevent tampering by unauthorized persons and shall be provided with raised letters reading: "Fuel Oil" on fixed portion of terminal body. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

(e) Fill pipes shall be designed to prevent escape of oil vapor from storage tanks at fill pipe terminal.

Section 5. Heating Coils in Storage Tanks.

All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

Section 6. Scavenging Line.

When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

(a) Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

(b) Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used the anti-syphon device shall not be required.

(c) Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

1. Plans for such installation shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

2. Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

3. Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

4. The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch.

(d) A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed line between tank and burner.

(e) Except as provided by Rule 4(b) of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

(f) In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Device and Test Wells.

(a) All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

(b) Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

(c) Test wells shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

Section 1. Permits.

(a) No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

(b) Applications for approval for permit shall be made by the installer on forms furnished by the administrative official and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity, number and location of storage tanks, together with approval of such installation by the Commissioner of Buildings when required under Section 2 of this Rule 10.

(c) No permit shall be issued until the installation has been inspected by a representative of the administrative official.

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Section 2. Plans.

Except for installations in dwellings as defined in these rules the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried. Such tanks shall not be installed until the location of the tank has been approved by the Commissioner of Buildings.

Section 3. Inspection and Tests of Installation of Storage Tanks and Piping.

(a) Storage tanks of two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch.

(b) Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water as follows:

(1) Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty (20) pounds per square inch.

(2) Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of ten minutes, released for five minutes, and again applied for a period of ten minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the administrative official. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

(c) Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

(d) The anti-syphon devices, where used as provided for in these rules, shall be tested to prove their operation following the test of tank and piping.

Section 4. Fee for Permit and Test of Storage Tanks and Piping.

When application for permit is made, as provided for in Section 1 of this rule, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More than Six (6) Gallons' Storage Capacity.

All installations of burners with not more than six (6) gallons' storage capacity, except where such installations are made in dwellings shall be reported by installer to the administrative official giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected.

Rule 12. Ventilation.

(a) No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

(b) Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be

provided in all rooms in which burners are installed.

(c) Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

(a) The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

(b) The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

(c) No rubbish or other combustible material shall be stored or maintained within five feet (5') of heating apparatus.

(d) Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

(e) The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

(f) Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath such devices protected by a $\frac{1}{2}$ " asbestos or equivalent shield extending at least twelve (12") inches beyond the outline dimensions of such device.

(g) Near each boiler or furnace of a fuel oil burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand.

Rule 15. Instruction Cards.

(a) Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity [Rule 4(b)] are installed, there shall also be posted a copy of the approval specifications in addition to the instruction card herein provided for.

(b) For manually operated systems not fully automatic the operator shall obtain a certificate of fitness from the fire commissioner.

Rule 16. Modification.

When, for any reason, it may be impractical to comply strictly with the foregoing rules, or when additional protection is necessary, the administrative official shall have power to accept substitute methods so that the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

Oil burner systems heretofore installed and duly approved as complying with all laws and rules applicable thereto shall be deemed acceptable.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Rules.

281-22-SR—Proposed Amendment to "Standpipe"—"Fire-line" Rules.

Administrative Applications.

- 299-31-A—2495-2505 Atlantic Avenue, northeast corner of East New York avenue (Block No. 3665, Lot Nos. 1 and 4), Brooklyn.
 328-33-A—4299 Boston road, west side, 283.31 ft. south of City Line (Block No. 5655, Lot No. 313), The Bronx.
 19-34-A—363 Lexington avenue (Block No. 1295, Lot No. 20), Manhattan.
 20-34-A—322-332 Lexington avenue and 128 East 39th street (Block No. 894, Lot No. 71), Manhattan.
 21-34-A—355-357 Lexington avenue, 133 East 40th street and 359-361 Lexington avenue (Block No. 1295, Lot Nos. 21 and 23), Manhattan.
 22-34-A—349-353 Lexington avenue and 130-132 East 40th street (Block No. 895, Lot No. 69), Manhattan.

Appliances Submitted for Approval.

- 1249-22-SA—Coen Steam Atomizing Oil Burner.
 628-23-SA—Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15.
 443-26-SA—American Anti-Syphon Valve.
 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
 359-30-SA—Conran Hydraulic Emergency Control Valve for Fire Line.
 32-31-SA—Ray-Dio Sunshine Range Oil Burner.
 491-31-SA—Superfex Oil Burning Heater.
 209-32-SA—Croker 4-inch Siamese.
 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
 286-32-SA—Hubbard Silent Electric Oil Burner.
 528-32-SA—Weldon Extinguisher.
 592-32-SA—The Ameroil Range Burners.
 23-33-SA—Sunrex Range Oil Burner.
 62-33-SA—Florence Oil Heater, Models GC-6, GC-7, GS-27 and CH-28.
 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
 126-33-SA—Tower Range Oil Burner.
 162-33-SA—Elkhart Combination Pressure Reducer and Hose Valve.
 164-33-SA—Firemaster Fire Extinguisher.
 218-33-SA—Presto Gas Pressing Machine Burner No. 10.

- 271-33-SA—Perfect-Pantex Oil Burner.
 349-33-SA—Herco Oil Burner.
 32-34-SA—Super Oil Burner for Pressing Machine.
 92-34-SA—Autocall Interior Fire Alarm Signal Systems.
 125-34-SA—American Oil Burner.
 128-34-SA—Bastian-Morley Oil Burner, Model M (Kero Water Heater).
 155-34-SA—Midget Oil Burner.
 156-34-SA—Allen's Siamese Connections for Fire Department use.
 165-34-SA—Rose Oil Heater.
 183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.
 203-34-SA—King Oil Burner.
 205-34-SA—Automatic Firetox Extinguisher.
 208-34-SA—Globe Oil Burner Pump.
 221-34-SA—The Ohio Pattern Works Foundry Co. Curb Fill Box (Gasoline).
 224-34-SA—Progressive Press Machine Oil Burner.
 234-34-SA—Bland Range Oil Burner.
 236-34-SA—Air-O-Flame Range Burners.
 256-34-SA—"Standard" One-Piece Closet Combination.
 263-34-SA—Lonergan Oil Burning Heater, Models F-2, F-3 and C-4.
 270-34-SA—Zenith Oil Burner.
 274-34-SA—B. & H. Radiant Stove Oil Burner.
 275-34-SA—Vapomatic Oil Burner.
 291-34-SA—Champion Range Oil Burner and Pump, Models A, DeLuxe and Waco.
 300-34-SA—Johnson Anti-Syphon Rotary Plunger Pump.
 301-34-SM—"Radbur" Flameproofing Compound.
 302-34-SA—Loyalty Range Burner.
 304-34-SA—Quick Meal Range Burner.
 305-34-SA—Quick Meal Water Heater, Model 5681-0.
 306-34-SA—Quick Meal Space Heaters, Models 5672-0, 5671-13, 5671-33 and 5671-35.
 308-34-SA—"Blue Glow" Range Oil Burner, Models Supreme and DeLuxe.
 309-34-SA—Hupp Range Oil Burner, Models S.D. and C.D.
 311-34-SA—Evur-Ready Range Oil Burner, Models Leader, Standard and De Luxe.
 313-34-SA—General Electric Oil Screen Valve (Anti-Syphon Type), Model CR-7860-E1A.
 321-34-SA—Shawmut "Junior" Range Burner.
 322-34-SA—Shawmut "DeLuxe" Range Burner.
 323-34-SA—Hi-Heat Range Burner, Models A and DeLuxe.
 325-34-SA—Diamond Range Oil Burner.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or departmental actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant, applicant or petitioner of record.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
 May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
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Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
 May be installed on all standpipe systems

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Total.....	940

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and The Municipal Assembly, Local Law No. 13, of 1925.

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No. 52

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1013.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS—9 a. m. to 5 p. m. Saturdays 9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, December 18, 1934, at 2 P. M.

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Plumbing Rules.

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Progress Report.

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Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays, excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, December 24, 1934, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, December 31, 1934, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND PETITIONERS

No appeal, application or petition will be entertained in connection with which court proceedings are pending or in progress, nor accepted that are not filed within twenty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal, application or petition shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal, application or petition, and if he fails to supply the data required thereon, within twenty days, his case may be dismissed for lack of prosecution.

At the time of filing an application, the appellant or petitioner shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Petitioners are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal.

Appeals, applications and petitions will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to December 19, 1934.

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356-34-SA.....	F.D.....	Hypressure Jenny (Oil Burner Spray Cleaning Unit), Models D and F. Appliance.
355-34-SA.....	F.D.....	Kres - Kno Range Burner, Model MD. Appliance.
354-34-SA.....	F.D.....	Kres - Kno Pressing Machine Burner, Model MD. Appliance.
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352-34-BZ.....	D.B.Bx....	Southwest corner of Boston rd. and Mace ave. (Block 4431, Lot 41), Bronx. N.B. 283-1934.
351-34-SA.....	F.D.....	Ellington Range Oil Burner, Ellington Square Circulating Heater and Ellington Round Circulating Heater. Appliances.
350-34-A.....	D.B.B.....	411 47th st. (Block 756, part of Lot 1), Brooklyn. Applic. 15485-1934.
349-34-BZ.....	D.B.Bx....	1131-1139 Morris Park ave. and 1801-1809 Williamsbridge rd., N.W. corner (Block 4132, Lots 32, 33, 34 and 35), Bronx. N.B. 248-1934.

Restored to Calendar.

260-34-A.....	D.B.M.....	1491 Lexington ave., northeast cor. of East 96th st. (Block 1624, Lot 20), Manhattan. F.P. Applic. 413-1934.
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F.D.....	Fire Department
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
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DECISION.

1525 Myrtle Ave. Realty Co. v. Murdock—November 28, 1933, Board denied extension from unrestricted to business district of existing gasoline station, under sections 7-b and 21, Cal. No. 233-33-BZ; Premises 1517-1543 Myrtle avenue, Brooklyn. Mr. Justice Hallinan dismissed certiorari. (N. Y. L. J., December 15, 1934.)

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 24, 1934, AT 2 P. M.

Building Zone Cases.

1148-27-BZ.
 APPLICANT—Saul Goldsmith, for Kaufbel Realty Corp., owner.
 PREMISES—1146-1152 Atlantic avenue, southeast corner of Franklin avenue (Block No. 1199, Lot No. 8), Borough of Brooklyn.
 APPLICATION, under section 21 of the building zone resolution (reopened May 29, 1934),
 TO PERMIT in a business district the change of occupancy of an existing building (now part of a gasoline service station previously granted by the board) to a motor vehicle repair shop.

662-26-BZ.
 APPLICANT—Charles Richel, for Sarah Richel, owner.
 PREMISES—3504-3510 Boston road, southeast corner of Eastchester road (Block No. 4723, Lot No. 66), Borough of The Bronx.
 APPLICATION, under section 21 of the building zone resolution (reopened July 3, 1934),
 TO PERMIT in a business district the maintenance of a gasoline service station (previously granted by the board for a temporary period—the temporary period has elapsed).

619-31-BZ.
 APPLICANT—James Kearney, for Estate of Israel Miller, owner.
 PREMISES—148-16 to 148-26 111th avenue, southwest corner of Sutphin boulevard (Block No. 2745, Lot No. 26), Jamaica, Borough of Queens.
 APPLICATION, under section 21 of the building zone resolution (reopened May 8, 1934),
 TO PERMIT partly in a business district and partly in a residence district the maintenance and extension of a gasoline service station previously granted by the board for a temporary period.

CALENDAR

332-34-BZ.

APPLICANT—Joseph V. O'Leary, for Spes Realty Corporation, owner.

PREMISES—1108-1112 First avenue, southeast corner of East 61st street (Block No. 1455, Lot Nos. 46, 48 and west part of Lot No. 42), Borough of Manhattan.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 31, 1934, AT 2 P. M.

Building Zone Cases.

975-28-BZ.

APPLICANT—Scacchetti & Siegel, for Estate of J. H. Douglas, Inc., owner.

PREMISES—East side of Bullard avenue, 100.01 ft. north of East 240th street (Block No. 5077, Lot Nos. 8, 11, 14), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened October 30, 1934),

TO PERMIT in a residence district the erection and maintenance of a building to be used as a dry cleaning establishment (previously denied for a garage).

218-34-BZ.

APPLICANT—Charles Schwimbersky, for Gustave Bondy, owner.

PREMISES—103-15 Astoria avenue, northwest corner of Humphreys street (Block No. 1667, Lot No. 8), East Elmhurst, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

305-33-BZ.

APPLICANT—Samuels and Samuels, for William Berg, owner.

PREMISES—104-106 Fourth avenue, southwest corner of Warren street (Block No. 401, Lot No. 38), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened September 25, 1934),

TO PERMIT in a business district the alteration and change of occupancy of an existing building to a gasoline service station.

326-34-BZ.

APPLICANT—Lama and Proskauer, for Engelbert Bick, owner.

PREMISES—789-791 Bedford avenue, northeast corner of Park avenue (Block No. 1715, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a motor vehicle repair shop and also a gasoline service station.

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 7, 1935, AT 2 P. M.

Building Zone Cases.

271-34-BZ.

APPLICANT—Henry C. Bruckner, for Henry Sehneider, owner.

PREMISES—East side of Cooper avenue, 130 ft. southwest of the corner of 74th street (Block No. 3811, Lot No. 50), Glendale, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

310-34-BZ.

APPLICANT—Samuels & Samuels, for Emma L. Verran, owner.

PREMISES—4204-4308 Atlantic avenue, block front, from Beach 42nd street to Beach 43rd street (Block No. 7041, Lot Nos. 1 and 30), Sea Gate, Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and also "E" area district the erection and maintenance of a multiple dwelling occupying a greater percentage of the lot than permitted in an "E" area district and, also, erected nearer than ten (10) ft. from the building lines, which is contrary to the requirements of the building zone resolution.

722-23-BZ.

APPLICANT—James Kearney, for Julia J. Hirsch, owner.

PREMISES—2235 Webster avenue, southwest corner of East 182nd street (Block No. 3143, Lot No. 65), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened October 2, 1934),

TO PERMIT in a business district the alteration and change of occupancy of part of an existing garage for more than five (5) motor vehicles (said garage previously granted by the board) so as to include a gasoline service station.

283-34-BZ.

APPLICANT—George I. Laird, owner.

PREMISES—241 Linwood street and 186-190 Essex street (Block No. 3956, Lot No. 58 and part of Lot No. 43), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business district and partly in a residence district the erection and maintenance of thirty-five (35) individual garages.

JANUARY 8, 1935, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 8, 1935, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 231-34-BZ—Application, August 9, 1934, under section 21 of the building zone resolution, of Samuel M. Rivelson, applicant, on behalf of Constantinos Demetroukas, Inc., owner to permit in a business district the erection and maintenance of a gasoline service station; premises 9402-9404 Church avenue, southeast corner of East 94th street (Block No. 4715, Lot No. 36), Borough of Brooklyn.

CAL. NO. 264-34-BZ—Application, September 12, 1934, under section 21 of the building zone resolution, of William C. Goodson, applicant, on behalf of Bartholdi Turecamo,

CALENDAR

owner, to permit in a residence use and "F" area district the erection and maintenance of a private garage within fifteen (15) feet of the building line; premises 8412 Ridge boulevard (Block No. 6023, Lot No. 39), Borough of Brooklyn.

CAL. NO. 297-34-BZ—Application, October 22, 1934, under section 21 of the building zone resolution, of Jack Fein, applicant, on behalf of Enmor Realty Corporation, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2705-2715 Nostrand avenue, east side, 360 ft. north of Avenue N (Block No. 7666, Lot No. 25), Borough of Brooklyn.

CAL. NO. 281-34-BZ—Application, October 4, 1934, under section 21 of the building zone resolution, of John M. Baker, applicant, on behalf of Astoria Riker Corporation, owner, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station; premises southeast corner of Astoria boulevard and (proposed) 77th street (Block No. 1030, part of Lot No. 40), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1935, 2 P. M.

Appeals from Administrative Orders.

232-34-A—1589 Atlantic avenue, northeast corner of Troy avenue (Block No. 1706, Lot No. 1), Brooklyn.

216-34-A—52-64 Warren street (Block No. 303, Lot No. 1), Brooklyn.

257-34-A—211 East 48th street (Block No. 1322, Lot No. 7½), Manhattan.

Appliance Submitted for Approval.

183-34-SA—Kohler "Integra" K-5580 One-Piece Syphon Jet Water Closet.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 8, 1935*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 261-34-BZ—Application, September 7, 1934, under section 21 of the building zone resolution, of Wood & Marshall, applicants, on behalf of Samuel H. Baylis and Sheldon F. Baylis, owners, to permit in a business district the erection and maintenance of a gasoline service station and also a parking space for more than five motor vehicles; premises 93-28 New York avenue, west side, 25 ft. south of L.I.R.R. (Block No. 1052, Lot Nos. 41 and 43), Jamaica, Borough of Queens.

CAL. NO. 320-34-BZ—Application, November 15, 1934, under section 21 of the building zone resolution, of Allmendinger and Schlendorf, applicants, on behalf of Werst Realty Co., owner, to permit partly in a business district and partly in a residence district the change of occupancy of an existing building to a business use (funeral home); premises 71-39 to 71-49 Cooper avenue and 71-54 to 71-66 72nd street, northwest corner (Block No. 3688, Lot No. 38), Glendale, Borough of Queens.

CAL. NO. 816-24-BZ—Application of Eugene De Rosa, on behalf of National Council of Congregational Churches, owner, reopened July 17, 1934, under sections 7a and 7c of the building zone resolution, to permit in a residence district the alteration, extension and change of occupancy of a building now occupied as a public market and stores (granted by the board October 3, 1924) to its original occupancy of motion picture theatre and stores; premises 799-805 Washington avenue, southeast corner of Lincoln place (Block No. 1180, Lot No. 6), Brooklyn.

CAL. NO. 253-34-BZ—Application, August 30, 1934, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of S.P.R. Realty Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises west side of Westchester avenue, from Doris street to Glover street (Block No. 3965, Lot Nos. 35 to 40), Borough of The Bronx.

CAL. NO. 287-34-BZ—Application, October 1, 1934, under section 21 of the building zone resolution, of Howard Kelly, applicant, on behalf of Mutual Life Insurance Company, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1401-1409 College avenue, northwest corner of East 170th street (Block No. 2786, part of Lot Nos. 2 and 29), Borough of The Bronx.

CAL. NO. 500-28-BZ—Application of William Shary, applicant, for Charles Zenker, present owner, reopened October 2, 1934, under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station; premises 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1935, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, Janu-*

CALENDAR

ary 15, 1935, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 296-34-BZ—Application, October 20, 1934, under section 7c of the building zone resolution, of Eugene De Rosa, applicant, on behalf of 1934 Realty Corporation, owner, to permit partly in a residence district and partly in a business district the erection and maintenance of an extension to an existing building—to be used as a theatre; premises south side of East Mount Eden avenue, entire block from Townsend avenue to Walton avenue (Block No. 2845, Lot Nos. 34 and 56), Borough of The Bronx.

CAL. NO. 116-30-BZ—Application, February 14, 1930; withdrawn June 3, 1930; reopened November 7, 1934 under sections 7c and 21 of the building zone resolution, of William Shary, applicant, on behalf of Samuel Rubin & Son, Inc., owner, to permit in a residence district the alteration and conversion of occupancy of part of basement and first story of an existing apartment house from dwelling to business use (stores); premises 1401 Grand Concourse, southwest corner of East 170th street (Block No. 2842, Lot No. 59), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1935, 2 P. M.

Appeal from Administrative Order.

260-34-A—1491 Lexington avenue, northeast corner of East 96th street (Block No. 1624, Lot No. 20), Manhattan.

Petition for Variation.

286-34-S—12 Gratton street (Block No. 3102, Lot No. 11), Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 15, 1935*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, excepting cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 243-34-BZ—Application, August 20, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of A. R. Olson Bldg. Co., Inc., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 2909-2917 86th street and 525-535 Van Sicklen street, northeast corner (Block No. 7169, Lot No. 28), Borough of Brooklyn.

CAL. NO. 267-34-BZ—Application, September 24, 1934, under section 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Rosa B. R. Heintz

and Jacob Siegal, owners, to permit in a business district the erection and maintenance of a gasoline service station; premises east side of Jerome avenue, 160.8 ft. north of East 213th street (Block No. 3329, Lot No. 92), Borough of the Bronx.

CAL. NO. 269-34-BZ—Application, September 25, 1934, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Marcus Cohn, owner, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Woodhaven boulevard and 162nd avenue (Block No. 4040, Lot No. 87), Aqueduct, Borough of Queens.

CAL. NO. 53-29-BZ—Application of Edward L. Kelly, on behalf of Harry Barrow, owner, reopened December 11, 1934, for consideration as to an extension of time to complete work—time having elapsed—re Application, granted on certain conditions under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station; premises 5231-5247 Kings highway, northeast corner of Foster avenue (Block No. 7949, part of Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 29, 1935, 2 P. M.

Appeal from Administrative Order.

245-34-A—West side of Vernon boulevard, 90 ft. north of 43d avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

FEBRUARY 19, 1935, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 19, 1935*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 290-34-BZ—Application, October 10, 1934, under section 21 of the building zone resolution, of Levy and Berger, applicants, on behalf of 291 Greenwich Street Corp., owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 1611-1619 Eastern boulevard, northwest corner of Morrison avenue (Block No. 3718, Lot No. 1), Borough of The Bronx.

CAL. NO. 460-26-BZ—Application of Thomas W. Lamb, Inc., on behalf of Brooklyn Ridgewood Corp., present owner, reopened September 11, 1934, under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the

CALENDAR

erection and maintenance of a building to be used as a theatre (previously granted by the board, and time to complete building has expired); premises 4921-4923 Fifth avenue, 514-534 49th street and 513-533 50th street (Block No. 784, Lot No. 2), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 26, 1935, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday morning, February 26, 1935, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 292-34-BZ—Application, October 16, 1934, under section 21 of the building zone resolution, of John Palmeri, applicant and owner, to permit in a business district the erection and maintenance of a gasoline service station; premises 147-02 to 147-12 90th avenue, southeast corner of Sutphin boulevard (Block No. 780, Lot No. 16), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, DECEMBER 18, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board, held on Tuesday morning, December 11, 1934, and the minutes of the regular meeting of the board, held on Tuesday afternoon, December 11, 1934, were approved as printed in Bulletin No. 51, Vol. XIX.

BUILDING ZONE CASES.

253-34-BZ.

APPLICANT—William Shary, for S. P. R. Realty Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Westchester avenue from Doris street to Glover street (Block No. 3965, Lot Nos. 35 to 40), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary, Samuel Rubin, H. C. Henning and Reuben Lozner.

For Opposition: Herman Boxer, Charles J. Bensky, B. Fegam, B. Mayhoff, Joseph Tucci and Alphonse Prillo.

ACTION OF BOARD—Laid over to January 8, 1935, at 2 p. m., for report of committee on inspection. No further argument.

287-34-BZ.

APPLICANT—Samuel Rosenblum, substituted for Howard Kelly, for Mutual Life Insurance Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1401-1409 College avenue, northwest corner of East 170th street (Block No. 2786, part of Lot Nos. 2 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: Henry Spitz, Edmund Bill, Herman Boxer, Philip Wellins and L. Altman.

ACTION OF BOARD—Laid over to January 8, 1935, at 2 p. m., for report of committee of inspection. No further argument.

290-34-BZ.

APPLICANT—Levy & Berger, for 291 Greenwich Street Corp., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1611-1619 Eastern boulevard (Ludlow avenue), northwest corner of Morrison avenue (Block No. 3718, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Cederbaum.

For Opposition: H. L. Kuttner, Herman Boxer, Sidney Kaufman and Rose A. Kaufman.

ACTION OF BOARD—Laid over to February 19, 1935, at 10 am., on request of applicant's representative.

292-34-BZ.

APPLICANT—John Palmeri, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—147-02 to 147-12 90th avenue, southeast corner of Sutphin boulevard (Block No. 780, Lot No. 16), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Norma Briganti.

For Opposition: Francis S. Levien, Herbert Singer, George E. Polhemus, F. Masterson and R. L. Maloney, Jr.

ACTION OF BOARD—Laid over to February 26, 1935, at 10 a. m., upon request of applicant's representative.

Adjourned, 12:25 p. m.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 18, 1934.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

BUILDING ZONE CASES.

500-28-BZ.

APPLICANT—William Shary, for Charles Zenker, present owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station (reopened October 2, 1934).

PREMISES AFFECTED—2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary and Samuel S. Resnick.

For Opposition: David B. Ancowitz, Samuel Sawitch and Herman Boxer.

ACTION OF BOARD—Laid over to January 8, 1935, at 2 p. m., for further consideration by the board. No further argument.

784-27-BZ.

APPLICANT—Samuels and Samuels, for William Berman, owner.

SUBJECT—Request for reopening—reconsideration under new proposal for enlarged plot—re Application decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—820-830 Empire boulevard and 793-803 Lefferts avenue (Block No. 1427, Lot Nos. 40 and 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton Samuels.

ACTION OF BOARD—Request to reopen or accept a new case denied, after inspection and report by a committee of the board.

THE VOTE TO REOPEN OR ACCEPT A NEW CASE—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(784-27-BZ)

WHEREAS, this application affecting premises 820-830 Empire boulevard and 793-803 Lefferts avenue (Block No. 1427, Lot No. 40), Borough of Brooklyn, was denied by the board, January 10, 1928, after due notice and public hearing and the owner of Lot No. 40 and owner of Lot No. 45, through their attorneys, Samuels & Samuels, requested either the reopening of this case or permission to file a new case having included in his site an adjoining Lot No. 45; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, report of which inspection was read at the hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 784-27-BZ.

Premises—Between Empire boulevard and Lefferts avenue, (Block 1427, Lot No. 40), Borough of Brooklyn.

An application for a zoning variance to permit the construction of a gasoline station was denied by unanimous vote of the quorum present on January 10, 1928, on Lot No. 40, Block 1427. At that time, Empire boulevard had apparently been widened and Lefferts avenue was in process of widening. Lot No. 40, located between these two widened avenues, is approximately 100 ft. long, 21 ft. wide at one end and tapers to 6 ft. in width at the other end where it adjoins Lot No. 45, which is 41 ft. long and tapers from 6 ft., where it adjoins Lot No. 40, to zero and forms the apex of a triangular island block 700 ft. long, with a base of 80 ft. on Troy avenue and tapering to zero at Schenectady avenue.

The minutes of the hearing on January 10, 1928, disclose that the Board considered the size, shape and location of Lot No. 40, considered the effect, if a gasoline station were granted on Lot No. 40, on the remainder of the island block and whether such a grant would not be practically committing the whole island triangle to prohibited or nonconforming uses, considered the strenuous objections of other affected properties, considered whether the plot could be used for any purpose other than a gasoline station, and denied the application for a gasoline station at this location deciding that the applicant was not entitled to relief under section 21 on the ground of practical difficulty and unnecessary hardship. At that hearing, Andrew S. Derby, who appeared in opposition, stated: "We owned that apex at one time and in the street opening proceedings, I tried to have the city throw it into the street. We gave that property *for no consideration* to persons who purchased other property." No certiorari proceedings were instituted to seek a reversal of the board's determination or to ask the Court to grant the unconditional use of the site for a gasoline station or send the matter back to the board to place safeguarding conditions in connection with the use of the premises as a gasoline station site.

At the time of the hearing on January 10, 1928, Lot No. 45 (the apex of the triangle, 41 ft. long and tapering from a 6 ft. base to zero) was in objection to the application for a gasoline station on the adjoining Lot No. 40. A new applicant now asks to be permitted either to bring a new case or reopen the case denied in 1928, in order to include Lot No. 45, the apex lot, with Lot No. 40 adjoining, as the subject of an appeal for a zoning variance to permit a gasoline station, and the question of reopening this case was set for December 18, 1934. The minutes of the original hearing show that the then owner of Lot No. 40 at that time had endeavored to acquire Lot No. 45, which was then in opposition to the gasoline station proposition.

A Committee of the Board inspected this site on December 6, 1934, and finds that Lot No. 45 now has bill-boards facing both avenues and while Lot No. 45 is obviously too narrow to accommodate an automobile without overlapping on the public sidewalks, the sign boards have perhaps a nuisance value to the owner of Lot No. 40, who, through the new applicant endeavors to have his case reheard. The Committee sees no justification in reopening this case to add this additional lot to the proposed gasoline site, as the area is so meagre that it adds nothing substantial to the proposal previously presented and denied. It seems apparent to the Committee that any purchaser of Lots Nos. 40 and 45, either prior to the hearing in 1928 or

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since, must have recognized that lots of the small area and shape of those lots would have a limited use, also that they were subject to the zoning restrictions, and could not, therefore after purchase claim a hardship if not permitted a zoning variance for a gasoline station.

In the cases of *Peo. ex rel. Swedish Hospital in Brooklyn vs. Leo et al*, *Peo. ex rel. Brennan vs. Walsh et al*, and *McGarry vs. Walsh et al*, among others, the Courts, during the early years of the Board's existence, laid down for its guidance the principle that the Board, being a quasi-judicial body, is without power to rehear or review a case once decided by it. The rules of procedure of the Board make similar provision, namely, that the Board has power to reopen a case once decided by it only on material new facts not before it at the time of the original decision.

The Committee finds no material new facts which would justify a rehearing of this case and therefore recommends that the Board deny the application to reopen and rehear this case on the ground that it is without power to do so in the absence of new material facts.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection

and

WHEREAS, the owner of Lot No. 45 is entitled on his own account to ask for a zoning variance for his lot; and

WHEREAS, the Board deemed that the joint request of the owners of Lots Nos. 40 and 45 for a reopening or the acceptance of the new case, was in effect, a request for a rehearing of the application as to Lot No. 40, which was denied, inasmuch as the addition of Lot No. 45, because of the meagre size, presents no substantial new fact to justify the rehearing or the acceptance of a new case.

Resolved, that the request for the reopening of this case or the acceptance of a new case be and it hereby is *denied*.

262-34-BZ.

APPLICANT—James Whitford, for Oscar A. Johnson, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1111 Forest avenue, northwest corner of Greenleaf avenue (Block No. 235, part of Lot No. 47), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: James Whitford.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Absent	0

THE RESOLUTION—

(262-34-BZ)

WHEREAS, James Whitford, for Oscar A. Johnson, owner, filed September 7, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station: premises: 1111 Forest avenue, northwest corner of Greenleaf avenue (Block 235, part of Lot No. 47), West New Brighton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 18, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Forest avenue is business and Greenleaf avenue is residence and business; and

WHEREAS, the decision of the Commissioner of Buildings, rendered August 30, 1934, reads:

"Your Application New Bldg., No. 125-34 to erect a gasoline filling station at premises 1111 Forest avenue, N.W. cor. Greenleaf avenue, West New Brighton, Borough of Richmond, is hereby disapproved, it being contrary to the zoning resolution to construct a gasoline filling station in a business zone."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 feet on Forest avenue and 100 feet on Greenleaf avenue—upon which it is proposed to erect a one-story office 24 ft. by 16 ft. in area, grease pits and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal was the subject of an inspection by a committee of the board, which report was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION

Cal. No. 262-34-BZ.

Premises—1111 Forest avenue N.W. cor. Greenleaf avenue (Block 235, part of Lot No. 47), West New Brighton, Borough of Richmond.

This application is for a zoning variance to permit a gasoline service station at the northwest corner of Forest avenue and Greenleaf avenue, West New Brighton, Staten Island, in a district zoned for business use adjacent to an area zoned for residence.

A Committee of the Board inspected the area on December 6, 1934.

The section is distinctly residential and there are neighborhood stores along the streets zoned for business use which streets, however, are at the same time preponderantly residential.

This property is part of a larger plot on the westerly portion of which is the owner's house and garage. It was stated at the hearing that the portion under appeal was assessed for approximately \$1,000. It is frankly stated that the hardship is personal and financial and that the variance is sought to permit the owner to supplement his diminished income by constructing a gasoline station for a tenant or purchaser who is anxious to operate one at this location if the necessary zoning variance permit can be obtained.

There has been no hardship within the meaning of Section 21 shown and in spite of the consents of the neighbors, the Committee cannot recommend that this application be granted.

This is not a proper location for a gasoline station opposite a square block devoted to use as a school and church. While there happens to be no openings in the low wire fence enclosing these school grounds, the spirit of the prohibition in Section 21 would be violated by granting this variation and it would encourage other applications in this area which the Committee noted was now amply supplied with gasoline stations. There is one at Jewett and Forest avenues and five others on Post avenue are within convenient distance.

The Committee recommends that the attention of the Borough President be called to the excessive area zoned for business uses in this section.

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The Committee recommends denial of the application.

(Signed) HARRIS H. MURDOCKK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of this application and the Board deemed that that applicant had not substantiated the basis of his unnecessary hardship under Section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby its *denied*.

268-34-BZ.

APPLICANT—Samuels & Samuels, for Herman M. Seldin, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Milton Samuels.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(268-34-BZ)

WHEREAS, Samuels & Samuels, for Herman M. Seldin, owner, filed September 25, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Northeast corner of Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 18, 1934, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Van Wyck boulevard is business; 115th avenue is residence and business and 138th street is residence; and

WHEREAS, the decision of the commissioner of buildings, rendered September 14, 1934, re plan No. N.B. 1635-1934, reads:

"The erection of a gasoline service station in a business district is contrary to the zone law (article 2, section 4a). Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Van Wyck boulevard and 100 ft. on 115th avenue—upon which it is proposed to erect a one-story structure 50 ft. by 27 ft. in area, to be used as office and service room and also to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at the hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 268-34-BZ.

Premises: Northeast corner Van Wyck boulevard and 115th avenue (Block No. 2790, Lot No. 1), Richmond Hill, Borough of Queens.

This application is brought under section 21 of the zoning resolution for a variance under practical difficulties and unnecessary hardship, to permit the operation of a proposed gasoline service station on a corner plot 100 ft. by 100 ft. in an area zoned for business use.

A committee of the board already familiar with this section because of several applications for gasoline stations in the adjoining areas, inspected this particular site and the surrounding area on December 6, 1934. The most recent nearby case before the board was at the northerly end of this same block at the corner of Van Wyck boulevard and Linden boulevard where the board denied an application for a gasoline service station under Cal. No. 44-34-BZ on May 8th last. That case is now subject to Court review. When that case was being considered, Van Wyck boulevard had recently been widened and was being surfaced. At the inspection on December 6th, it was noticed that the surfacing had been completed between Linden boulevard and 115th avenue, but barricades prevented traffic southerly on Van Wyck boulevard to Rockaway boulevard.

While the plans filed correctly indicate the properties within the area of notification, neither the plans nor the photographs give a fair indication of the development of the section. As is usual in outlying sections the area zoned for residential use builds up first. There is accordingly considerable vacant frontage on Van Wyck boulevard which is the thoroughfare zoned to permit business uses. It is claimed that Van Wyck boulevard has heavy traffic. Up to recently this section was unsurfaced and the committee noted that there was practically no traffic. The unsurfaced condition of Van Wyck boulevard has undoubtedly had an influence in postponing building. The stores referred to in Cal. No. 44-34-BZ, at the corner of Linden and Van Wyck boulevards, and the stores directly across from this site under appeal are the only stores constructed except for a new store and residence building now being built on the same block as this proposed gasoline station a few lots to the north toward Linden boulevard. The depression has undoubtedly deferred the erection of business buildings and affected the existing stores, but this new business building is an indication that the business frontage along Van Wyck boulevard can be developed with conforming uses in spite of the claim to the contrary of the applicant and the opinions he submitted of real estate brokers.

This would be the first nonconforming use in this immediate area which is one of a general residential nature. Sufficient gasoline stations are not lacking within easy reach.

There is available transportation by bus on several nearby avenues and the projected subway on Van Wyck boulevard will when built make this block an important thoroughfare.

While title to this plot appears to have been taken only in April of this year, it has been stated that this owner has had an interest in this plot for some time and the list of owners indicates that he also owns a similar sized corner also vacant on the opposite corner of 115th avenue.

It is well understood that people buying vacant property often have to hold it for long periods of time. That this is likely to happen is always a possibility, but this cannot be assumed as a hardship, especially during these times, as the Court has recently said in the N. Y. & Richmond Gas Co. case.

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There is no compulsion to develop.

It appears to the committee to be more than a coincidence that this application comes at this time when Van Wyck boulevard is being widened and improved as a main cross country artery from Queens boulevard to Rockaway boulevard. Even the realtor, Dan Sullivan, whose letter was filed by the applicant after the hearing, reflects the present general lack of confidence among builders and real estate men and states that a gasoline station might "pay the taxes and a little more in time."

The committee is not in favor of a gasoline service station at this location, even on the basis of the revised sketches filed December 17, showing the accessory building only, and can find no tenable ground for the claim of hardship and believes that this corner can be put to a conforming use, pointing to the new building on this same block which has been commenced since a similar claim of hardship was advanced under Cal. No. 44-34-BZ in April last.

The committee believes that this area is correctly zoned and that a gasoline station would retard the development of this section, deteriorate the area and depress values and recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

and

WHEREAS, this report recommended the denial of the application, and the board deemed that applicant had not substantiated the basis of his appeal, unnecessary hardship, under section 21 of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

118-30-BZ.

APPLICANT—Samuels and Samuels, for Sadye Hydecker, owner.

SUBJECT—Application (re decision of the superintendent of buildings) under section 7f of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station. (Previously denied under section 21, reopened September 11, 1934).

PREMISES AFFECTED—2700-2706 Eastchester road and 1501-1509 Allerton avenue, northeast corner (Block No. 4534, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Milton Samuels.

For Opposition: Herman Boxer.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Absent 0

THE RESOLUTION—

(118-30-BZ)

WHEREAS, Sadye Hydecker, owner, filed February 14, 1930, an application under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 2700-2706 Eastchester road and 1501-1509 Allerton avenue, northeast corner (Block No. 4534, Lot No. 12), Borough of The Bronx; and

WHEREAS, this application was denied by the board July 1, 1930, after due notice and public hearing and the owner through her attorneys, Samuels and Samuels, requested a reopening of the case under section 7-F, which request

was granted by vote of the board September 11, 1934; and

WHEREAS, a public hearing was held on this reopened application by the Board of Standards and Appeals, at its regular meeting, December 18, 1934, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Allerton avenue is business; Eastchester road is business and Bantam place is business and residence; and

WHEREAS, the decision of the commissioner of buildings, rendered September 27, 1934, re N.B. App. No. 225-1934, reads:

"Erection of building and occupancy of premises in business district for gasoline service station is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 100 ft. on Allerton avenue, 84.4 ft. on Eastchester road and a distance of 105 ft. along the north lot line upon which it is proposed to erect a one story office and accessory store structure 40 ft. by 26 ft. (irregular) in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 118-30-BZ.

Premises: 2700-06 Eastchester road and 1501-09 Allerton avenue, northeast corner (Block No. 4534, Lot No. 12), Borough of The Bronx.

This application, denied for a smaller plot under section 21 on July 1, 1930, was reopened by a new applicant under section 7, subdivision F, for a plot of increased size. Under section 7, subdivision F, the board may grant in undeveloped sections a permit for a gasoline station for two years.

The applicant claims that the section in which these premises under appeal are located are in an undeveloped section within the meaning of the zoning resolution. At the time the zoning resolution was adopted, this section undoubtedly had application in many outlying sections of the city. What the intent was may be gained from the following unofficial explanation of George B. Ford, the zoning consultant to the commission which drafted the resolution:

"NOTE:—This would allow a man in an outlying part of the city in the midst of what is shown on the map as a future residence section to locate a cement block making plant or a public garage, provided that he would remove his plant at the end of two years if the Board of Appeals thought it was becoming a nuisance. If there seemed to be any doubt about being able to force the owner to remove the building later the Board of Appeals could demand that he give a bond."

The record of the previous hearing of July 1, 1930, held apparently after several adjournments, discloses at that time a condition which could hardly be classified as undeveloped. Reference is made to the school under construction and since completed, to the "multitude" of home owners and their efforts through their taxpayers' associations to keep out gasoline stations.

This new applicant lists the frontage of vacant plots and submits photographs of the roadways of Allerton avenue and Eastchester road, showing very little development within the range of the camera of buildings but showing, however, Eastchester road paved and with sidewalks and curbs, telegraph and telephone service, fire hydrants and street lighting. Sewers and water are available.

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Inspection by the committee on December 6, 1934, disclosed in addition a community of houses, consisting of forty or fifty, within a radius of 500 ft. Some of the houses appear to have cost from \$8,000 to \$10,000.

A sign on this plot announces that a store building will be constructed for a tenant.

Buses run on Eastchester road; there are a parochial school and church three blocks away in addition to the public school on Mace and Seymour avenues.

The Committee cannot find that the site falls within the meaning of section 7-F, under which the board may exercise its discretion in granting the variance sought. Even if section 7-F was broad enough to permit the board to exercise discretion in this case, the committee would recommend that the application be denied as being against the interest of owners who have purchased property and built homes in reliance on the zoning law that nonconforming uses will be excluded.

The Committee recommends denial.

(Signed) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,

Committee of Inspection.

and

WHEREAS, this report recommended the denial of this application and the board deemed that applicant had not substantiated the basis of his application under section 7-F of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

541-32-BZ.

APPLICANT—Robert C. Weissmantel & Son, Inc. (lessee), for Tisdale Lumber Co., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence district the change of occupancy of an existing building to a salesroom, motor vehicle repair shop and service station.

PREMISES AFFECTED—East side of 130th street, 330 ft. south of Jamaica avenue (Block No. 234, Lot No. 79), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Robert C. Weissmantel.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(541-32-BZ)

WHEREAS, this application affecting premises east side of 130th street, 330 ft. south of Jamaica avenue (Block No. 234, Lot No. 79), Richmond Hill, Borough of Queens, was granted by the board March 3, 1933, under certain conditions, which conditions were amended July 18, 1933, January 30, 1934, and July 10, 1934, and applicant requests a further amendment of the resolution.

Resolved, that the resolution adopted by the board on March 3, 1933, as amended by resolution of July 18, 1933, as further amended by resolution of January 30, 1934, and July 10, 1934, be and it hereby is *amended*, in view of the statement made by the applicant that all permits have been obtained and that the brick fire wall has been commenced and partially constructed and will be completed as soon as funds are available, to extend the period of time within which to complete work for six months from the date of this amended resolution, *on condition* that other than as amended herein the resolution adopted by the board on March 3, 1933, shall be complied with in all respects.

717-28-BZ.

APPLICANT—Frank J. Schefcik, for Theodore Ornstein, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) amending the resolution permitting the erection of a pent house for additional car storage—re Application, under sections 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Schefcik.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(717-28-BZ)

WHEREAS, this application affecting premises 152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan, was granted by the Board, January 29, 1929, on certain conditions amended June 12, 1934, and owner through his architect requests an extension of time.

Resolved, that the resolution adopted by the Board on June 12, 1934, be and it hereby is *amended*, only so far as it refers to the obtaining of permits and completion of work, so that as amended this portion of the resolution will read:

"that all permits shall be obtained within six months and all work involved completed within one year from the date of this amended resolution *on condition* that other than as amended herein the resolution adopted by the Board on June 12, 1934 shall be complied with in all respects."

8-34-BZ.

APPLICANT—Kennedy & Ellner, for Wardell Holding Corporation, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

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PREMISES AFFECTED—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Clarence Leventhal.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(8-34-BZ)

WHEREAS, this application affecting premises N. E. cor. of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens, was granted by the board, April 24, 1934, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on April 24, 1934, be and it hereby is amended, so that as amended it will read as follows:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* for a period of 5 years under section 21, permitting the site under appeal to be used for a gasoline service station *on condition* that the plot shall be made substantially level to the grade of Jamaica avenue; that there shall be erected on the interior lot lines a brick wall, faced with face brick and not less than 8 ft. in height, except that this wall may start at a height of 4 ft. at the building line of Jamaica avenue and 187th place and be graduated at the rate of one foot in four to the 8 ft. height; that the accessory buildings shall consist of an office, laundry section and greasing section, located on the rear lot line, as indicated on revised plans filed, marked "December 17, 1934"; that these buildings shall not exceed one-story in height and shall be constructed of brick, faced with face brick or cement stucco and constructed of incombustible materials, except that the roof beams, roof boarding, windows and doors may be of wood *on condition* that the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals, and the roof surfaced with non-inflammable shingles or roof surfacing; that there shall be no windows on the rear lot line opening upon adjacent property; that the balance of the plot where not occupied by accessory buildings shall be cement or asphalt paved; that gasoline pumps shall not be nearer than 15 ft. to either street line, nor nearer than 10 ft. to any part of an accessory building; that there shall be not more than four 550 gallon tanks installed on the premises; that there shall be no open excavation under any of the accessory buildings except the pits for the greasing racks; that the front of the greasing rack section shall remain open; that there shall be constructed on the street building lines a reinforced concrete curb not less than 12 inches in width and not less than 5 inches in height, with domed top, with not over two openings therein to Jamaica avenue and not over two openings to 187th place; these openings not to exceed 25 ft. in width with curb cuts opposite not over 30 ft. in width; that no part of any such opening shall be nearer than 10 ft. to the easterly interior lot line on Jamaica avenue, nor 20 ft. from the interior lot line on 187th place,

nor nearer than 15 ft. from the intersection formed by 187th place and Jamaica avenue; that at this corner intersection there shall be a grass plot maintained, protected on all sides by curb, as indicated on plans; that there shall be no portable gasoline pumps used on or from the premises; that no automobile repairing shall be carried on, nor the storage or parking of cars other than those being serviced; that advertising signs shall be confined to the illuminated globes of the gasoline pumps and permanent flat sign on the facade of the accessory building and one illuminated sign on a post within the building line and near the intersection of Jamaica avenue and 187th place; that lights for general illumination shall be on standards not over 14 ft. in height with metal reflectors arranged to reflect downwardly; that complete working drawings shall be filed with this Board for approval by the chairman in behalf of the Board, before submission to the Department of Buildings; that all permits shall be obtained within six months and all work completed within one year from the date of this amended action."

APPEALS FROM ADMINISTRATIVE ORDERS.

216-34-A.

APPELLANT—Geo. E. Strehan, for A. R. Haeuser Co., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—52-64 Warren street (Block No. 303, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Appellant: None.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Laid over to January 8, 1935, at 2 p. m., upon written request of appellant.

260-34-A.

APPELLANT—The Timken Silent Automatic Co., for Hoffman Estates, owner.

SUBJECT—Application for reopening—restoration to calendar, having been previously dismissed for lack of prosecution—re Appeal from decision of the commissioner of buildings.

PREMISES AFFECTED—1491 Lexington avenue, northeast corner of East 96th street (Block No. 1624, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Appellant: Arthur Pannaman.

ACTION OF BOARD—Appeal reopened, restored to calendar and set for hearing January 15, 1935, at 2 p. m.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

303-34-A.

APPELLANT—Levy & Berger, for John F. Dolan, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—163 Pacific street, north side, 85 ft. east of Clinton street (Block No. 286, Lot No. 48), Borough of Brooklyn.

APPEARANCES—

For Appellant: None.

ACTION OF BOARD—Appeal withdrawn upon written request of appellant.

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THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

331-34-A.

APPELLANT—Louis Roberti, for Annunziata Roberti, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—847 East 218th street (Block No. 4677, Lot No. 16), Borough of The Bronx.

APPEARANCES—

For Appellant: None.

ACTION OF BOARD—Appeal withdrawn upon written request of appellant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

159-33-A.

APPELLANT—Larry Meltzer, for Graham Brake Service Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner. (Reopened and restored to calendar, December 4, 1934, having been previously dismissed for lack of prosecution.)

PREMISES AFFECTED—653 First avenue (Block No. 943, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Appellant: Larry Meltzer.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Absent 0

THE RESOLUTION—

(159-33-A)

WHEREAS, Larry Meltzer, for Graham Brake Service Corp., lessee, filed April 27, 1933, an appeal from an order of the first commissioner affecting premises 653 First avenue (Block No. 943, Lot No. 30), Borough of Manhattan; and

WHEREAS, this appeal was dismissed for lack of prosecution on February 23, 1934, and upon request of appellant the case was reopened on December 4, 1934 and set for hearing on December 11, 1934; and

WHEREAS, the order of the fire commissioner, dated April 20, 1933, Order No. 77031-LC, reads:

“With reference to your application, dated recently for a permit to maintain a brake service station at above location, I regret to inform you that I am without power to grant such a permit for the reason: Building is more than 50 ft. in height and is not of fireproof construction as is required by section 72-1-G of chapter 5, Code of Ordinances.

You are therefore ordered to:

1—Discontinue the maintenance of a motor vehicle repair shop on these premises.”

and

WHEREAS, the building is nonfireproof, 6 stories (72 ft.) in height, 50 ft. by 75 ft. in area; occupied: 1st story, motor vehicle repair shop, 4 persons; 2nd story, metal works,

5 persons; 3rd story, vacant; 4th, 5th and 6th stories, furniture factory, 4 persons each floor; located within an unrestricted district and also within the fire limits; and

WHEREAS, the appellant claims the building was erected in 1890, no certificate of occupancy has been issued; the order of the fire commissioner affects the first story only, which is being used for an automobile brake service station where brakes are relined, adjusted and tested; such use began in September of 1932, this use is not generally termed as a motor vehicle repair shop; the second means of exit from each story is by means of an iron fire-escape at front of building as shown on sectional drawings; this appeal is not for a variation of the zone resolution, it is for the maintenance of a brake service station on the first story of a non-fireproof building exceeding 50 ft. in height which is claimed by the commissioner of buildings to be contrary to section 72, subdivision (g) of the building code; and

WHEREAS, these premises were the subject of an inspection report which inspection was read at the hearing and which report follows:

REPORT OF INSPECTION.

Cal. No. 159-33-A.

Premises: 653 First avenue (Block No. 943, Lot No. 30), Borough of Manhattan.

Accompanied by the Chairman and Commissioner Savage, I visited the premises 653 First avenue (Block No. 943, Lot No. 30), Borough of Manhattan, on December 13, 1934, relative to the appeal of Larry Meltzer, architect, for the Graham Brake Service Corp., lessee, from an order of the fire commissioner, dated April 20, 1933, order No. 77031-LC, reading as follows:

“With reference to your application, dated recently for a permit to maintain a brake service station at above location, I regret to inform you that I am without power to grant such a permit for the reason: Building is more than 50 ft. in height and is not of fireproof construction as is required by section 72-1-G of chapter 5, Code of Ordinances.

You are therefore ordered to:

1—Discontinue the maintenance of a motor vehicle repair shop on these premises.”

The building is a 6 story non-fireproof structure, with brick walls, wooden girders and floor beams, wood posts, except for 2 cast iron columns at centre north portion of cellar and wood roof covered with tar and slag roofing. The cellar of the building is unoccupied except for the steam boiler which is located at centre north side, the top of boiler being about 2 ft. below a wooden girder which supports a portion of the first floor which floor is defective and full of cracks and soaked with oil and grease. On the floor cars are stored with gasoline in their tanks and greasing and repairs are made thereon. There is only one exit from the cellar, an open stairway, the treads of which are not level. The brake testing racks on the first story which extend out on the sidewalk prevent egress through old steps to street.

The second story of the building is occupied by a metal working concern which uses a forge, oxyacetylene torch and has a spraying booth in operation. There is no fire protection on this floor.

The third floor is at present vacant. The fourth floor is used by a woodworking concern which has a spray booth with a ventilating fan which exhausts through the side wall over the gasoline station adjoining.

The fifth floor is also used for wood working, being used for finishing children's toys and furniture. Banana oil is used on this floor. The sixth floor is also used for wood working.

The lot line and rear windows are wood frames and sash, glazed with plain glass and protected with

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iron shutters. There is no auxiliary fire fighting equipment.

There is a large amount of wood stored and there are shavings, wood dust and paints present and the general condition of all floors except the third is distinctly of a hazardous nature.

The stairway is enclosed with fire retarding materials, sheet metal over plaster, but is in poor condition. There is a labor law fire escape and a sub-standard fire escape on the front of the building. Owing to the hazardous nature of the factory occupancy, the general disrepair of the building and the location of the boiler, a motor vehicle repair shop in this building constitutes an extreme hazard and should be removed.

It is recommended that the appeal be denied.

Respectfully submitted,

(Signed) LESLIE V. HUBER,
Chief Engineer.

and

WHEREAS, this report recommended that the appeal be denied and the board deemed that a hazardous condition existed.

Resolved, that the order of the fire commissioner, No. 77031-LC be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

314-34-A.

APPELLANT—The New York Central Railroad Company, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—South side of Broadway, 90 ft. southeast of West 225th street (Block No. 2215, Lot No. 675), Borough of Manhattan.

APPEARANCES—

For Appellant: W. R. Stevens and J. O. Gallagher.

In Opposition: E. Feldman and Daniel McKenny.

For Administration: None.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(314-34-A)

WHEREAS, the New York Central Railroad Company, owner, filed November 10, 1934, an appeal from an order of the commissioner of buildings, affecting premises south side of Broadway, 90 ft. southeast of West 225th street (Block No. 2215, Lot No. 675), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated October 22, 1934, Violation Order No. 6370—reads:

"In that of maintaining a frame structure, size 36 ft. by 21 ft. by 14 ft. erected on temporary approval No. 9675-1905 said permit having expired.

You are hereby directed to secure a permit for the work noted above, and if said work is illegal, make such necessary changes as are required to secure a permit."

and

WHEREAS, the building is of frame construction, one story (14 ft.) in height, 36 ft. by 21 ft. in area; OCCUPIED as a railroad passenger station; located within an unrestricted district; and

WHEREAS, the appellant claims the building was erected under permit No. 9675 of 1905, approved for a temporary structure, such approval expired December 4, 1906; the

building is located more than 240 ft. southwest of the southerly side line of West 225th street and about 90 ft. southeast of the easterly side line of Broadway, it is also outside the fire limits; the nearest building is a two-story fireproof garage, about 75 ft. distant towards the northeast; due to the soil being of earth fill, it is impossible to construct permanent foundations without incurring a large expense; the building is in good condition and has been used as a passenger station during the past 29 years; furthermore, to comply with the order would impose an unnecessary hardship upon the owner; and

WHEREAS, it appears that at the time the structure was erected the premises were located inside the fire limits but that the fire limits were changed in 1915 and that the structure is now outside of said limits.

Resolved, that the order of the commissioner of buildings, No. 6370, be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the continuation of the building for a period of two years, from the date of this action; *on condition* that there shall be no additional structures erected on the property northerly from the station to the line of the existing garage and store buildings.

330-34-A.

APPELLANT—C. P. Darlington, for Chamber of Commerce, State of New York, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—59-65 Liberty Street (Block No. 64, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Appellant: C. P. Darlington.

For Administration: Inspector Maher of Department of Buildings.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(330-34-A)

WHEREAS, C. P. Darlington, for Chamber of Commerce, State of New York, owner, filed November 22, 1934, an appeal from an order of the commissioner of buildings affecting premises 59-65 Liberty street (Block No. 64, Lot No. 9), Borough of Manhattan; and

WHEREAS, the order of commissioner of buildings, No. 17269-F, dated November 2, 1934, reads:

"1. Provide a tank on roof of at least 3500 gallons capacity for the standpipe system, said tank to be elevated, so that the bottom will be not less than 20 ft. above the roof level. Sections 580-1, chapter 5, Code of Ordinances and rules of the Board of Standards and Appeals."

and

WHEREAS, the building is of fireproof construction, 5 stories (102 ft.) in height, 83 ft. 5 in. by 91 ft. 3 in., about 7,700 sq. ft. in area; occupied: cellar, machinery; 1st story, bank; 2nd story, meeting room; 3rd story, offices; 4th story, restaurant; 5th story, library; and

WHEREAS, the appellant claims the building was erected in 1902, equipped with a standpipe system fed from a 2500 gallon house supply tank, the bottom of which is about 20 ft. above the highest hose outlet; the tank is kept full by an automatic pump of 65 gallons per minute capacity; there is also a secondary pump connected in the line having a capacity of 50 gallons per minute; the appellant proposes to rearrange the house supply pipe connection with the tank so as to provide 2000 gallons reserve solely for standpipe lines.

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Resolved, that the order of the commissioner of buildings, No. 17269-F, be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the tank on the roof to remain at its present height, *on condition* that there shall be reserved at all times at least 2,000 gallons of water for standpipe purposes only and that the standpipe system shall comply in all other respects to the requirements of Rule 91 of the Standpipe Fire Line Rules of the Board of Standards and Appeals; and that the present automatic pump and the secondary pump shall be maintained in good working order.

336-34-A.

APPELLANT—Tridex Machine Corporation, for The City of New York, owner.

SUBJECT—Appeal from decision of the fire commissioner.

PREMISES AFFECTED—274 Clove road (Block No. 215, Lot No. 46), West Brighton, Borough of Richmond.

APPEARANCES—

For Appellant: C. H. Alvord.

For Administration: Inspector Meyer of Fire Department.

ACTION OF BOARD—Appeal granted, on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(336-34-A)

WHEREAS, Tridex Machine Corp., for the City of New York, owner, filed November 28, 1934, an appeal from a decision of the Fire Commissioner, affecting premises 274 Clove road (Block No. 215, Lot No. 46), West Brighton, Borough of Richmond; and

WHEREAS, the decision of the Fire Commissioner, dated November 15, 1934 (Folder No. 38200.01), reads:

"Replying to your favor of October 15, 1934, it is regretted that the Fire Department can grant no approval or permission to install the One (1) Tridex Cleaning Machine in the City owned garage at North side of Clove road, Carey and Castleton avenues, West Brighton, Staten Island, in view of the provisions of Section 159, subdivision 1 of Chapter 10 of the Code of Ordinances.

However, relief from this decision may be obtained from the Board of Standards and Appeals, Room 1002, Municipal Building, by appealing to that Board within twenty days from this date."

and

WHEREAS, the building is nonfireproof, one-story (20 ft.) in height, 60 ft. 2 in. by 161 ft. in area; OCCUPIED as a garage for more than five motor vehicles, 9 persons; located within an unrestricted district; and

WHEREAS, the appellant claims the Tridex car washing machine installed for the purpose of cleaning and washing trucks and cars is stationary, cars are brought to the machine for cleaning, the machine is essentially a water-heater and steam-generator, using gas for fuel, the gas burner is entirely enclosed; air for combustion enters through a flue from outside of building; the location is ideal for pipe railing protection; the machine in operation produces a solution of hot water and soap under pressure passing through a hose and discharged in a fine spray from a nozzle at about 60 lbs. per square inch, which may be employed to remove grease and dirt from all parts of a car; only nonflammable cleaning powders are used and all practical fire prevention measures are maintained; furthermore, the Tridex car washing machine has been tested and accepted by the National Board of Fire Underwriters, as

meeting their requirements and also as to safety when installed in garages for washing purposes, a copy of which is hereby attached and made a part hereof.

Resolved, that the decision of the Fire Commissioner be and it hereby is *modified* and that the appeal be and it is *granted*, permitting the installation of one Tridex Cleaning Machine, constructed as described and shown in Cal. No. 33-34-SA, and in accordance with the approval of the Underwriters filed therewith, *on condition* that this device shall be maintained in accordance with the plans shown on file with this appeal marked "Received November 28, 1934," on the first floor of the building; that the gas burner shall be equipped with an intake flue on the outside of the building for air and an exhaust flue; that these flues shall be equipped with approved louvre openings for this type of burner; that there shall be erected a heavy pipe rail on all sides of this device not less than 3 feet in height and constructed of pipe not less than 1½ inches in diameter and with not less than two horizontal rails; that this railing shall be properly braced to the brick wall of the building with three sets of struts; that the space within the structural bay adjacent to this machine, approximately 25 ft. square, shall not be used for any purposes other than the washing of automobiles; that this device shall be firmly bolted to the floor; that such auxiliary fire fighting appliances shall be installed as the Fire Chief and Commissioner shall direct; that no open flame shall be permitted in the building in which this device is installed.

935-26-A.

APPELLANT—Walter D. Binger, Deputy Commissioner, Department of Sanitation, for City of New York, owner.

SUBJECT—Application for reopening—extension of time—re Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—Flatbush avenue and Jamaica Bay (Block No. 8496, Lot Nos. 1505 and 1515), Barren Island, Borough of Brooklyn.

APPEARANCES—

For Appellant: : John H. Thode, Jr.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4

Negative 0

Absent 0

THE RESOLUTION—

(935-26-A)

WHEREAS, this appeal affecting premises Flatbush avenue and Jamaica Bay, Barren Island (Block No. 8496, Lot Nos. 1505 and 1515), Borough of Brooklyn, was granted by the board January 11, 1927, on certain conditions, time extended from time to time and present occupant the department of sanitation requests a further extension.

Resolved, that the resolution adopted by the board on December 1, 1931, be and it hereby is *amended*, so that as amended, it will read as follows:

"*Resolved*, that the order of the fire commissioner, No. 98121-F, and the order of the commissioner of buildings, No. 3620-LF, calling for the installation of a standpipe system, be and they hereby are *modified*, and the appeal be and it hereby is *granted on condition* that the present use and occupancy by the department of sanitation of New York City shall be discontinued on or before July 1, 1935."

MINUTES

DISMISSALS.

480-19-A.

APPELLANT—The Pennsylvania Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 4 and Pier No. 5, foot of Morris street, North River, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(480-19-A)

WHEREAS, The Pennsylvania Railroad Co., lessee, City of New York, owner, filed June 25, 1919, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 89116-F, 89117-F, and 89118-F, affecting premises Pier No. 4 and Pier No. 5, foot of Morris street, North River, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

481-19-A.

APPELLANT—The Pennsylvania Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Old Pier No. 3, near foot of Morris street, North River, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(481-19-A)

WHEREAS, The Pennsylvania Railroad Company, lessee, City of New York, owner, filed June 25, 1919, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 88188-F, 88189-F, and 88190-F, affecting premises, Old Pier, No. 3, near foot of Morris street, North River, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because

a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

594-19-A.

APPELLANT—Herbert W. Smith, attorney for The Lehigh Valley Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 8, foot of Rector street, North River, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(594-19-A)

WHEREAS, Herbert W. Smith, attorney for The Lehigh Valley Railroad Company, lessee, City of New York, owner, filed August 8, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 93685-F, affecting premises, Pier No. 8, foot of Rector street, North River, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

595-19-A.

APPELLANT—Herbert W. Smith, attorney for The Lehigh Valley Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

MINUTES

PREMISES AFFECTED—Pier No. 44, East River, foot of Jackson street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(595-19-A)

WHEREAS, Herbert W. Smith, attorney for The Lehigh Valley Railroad Company, lessee, City of New York, owner, filed August 8, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 91092-F, affecting premises, Pier No. 44, East River, foot of Jackson street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

877-19-A.

APPELLANT—U. S. Railroad Administration for the New England Steamship Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 14, North River, foot of Fulton street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(877-19-A)

WHEREAS, U. S. Railroad Administration for The New England Steamship Company, lessee, City of New York, owner, filed November 8, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 91095-F, affecting premises, Pier No. 14, North River, foot of Fulton street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

878-19-A.

APPELLANT—U. S. Railroad Administration for the New England Steamship Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 15, North River, West street, opposite Vesey street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(878-19-A)

WHEREAS, U. S. Railroad Administration for The New England Steamship Company, lessee, City of New York, owner, filed November 8, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 94735-F, affecting premises, Pier No. 15, North River, West street, opposite Vesey street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

879-19-A.

APPELLANT—U. S. Railroad Administration for the New England Steamship Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 15, North River, West street, opposite Vesey street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

MINUTES

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(879-19-A)

WHEREAS, U. S. Railroad Administration for The New England Steamship Company, lessee, City of New York, owner, filed November 8, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 94736-F, affecting premises, Pier No. 15, North River, West street, opposite Vesey street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

880-19-A.

APPELLANT—U. S. Railroad Administration for the New England Steamship Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 28, East River, South street between Catherine and Market Slips, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(880-19-A)

WHEREAS, U. S. Railroad Administration for The New England Steamship Company, lessee, City of New York, owner, filed November 8, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 94824-F, affecting premises, Pier No. 28, East River, South street, between Catherine and Market Slips, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

881-19-A.

APPELLANT—J. W. Marshall, attorney, for Pennsylvania Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Old Pier No. 1, North River, foot of Battery Park, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(881-19-A)

WHEREAS, J. W. Marshall, attorney for Pennsylvania Railroad Company, lessee, City of New York, owner, filed October 30, 1919, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 94490-F and 94491-F, affecting premises, Old Pier No. 1, North River, foot of Battery Park, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

882-19-A.

APPELLANT—J. W. Marshall, attorney, for Pennsylvania Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 27, North River, foot of Hubert street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

MINUTES

Negative 0
Absent 0

THE RESOLUTION—

(882-19-A)

WHEREAS, J. W. Marshall, attorney for Pennsylvania Railroad Company, lessee, City of New York, owner, filed October 30, 1919, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 94280-F and 94281-F, affecting premises, Pier No. 27, North River, foot of Hubert street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

883-19-A.

APPELLANT—J. W. Marshall, attorney, for Pennsylvania Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 29, North River, West street, foot of Vestry street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(883-19-A)

WHEREAS, J. W. Marshall, attorney for Pennsylvania Railroad Company, lessee, City of New York, owner, filed October 30, 1919, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 94488-F and 94489-F, affecting premises, Pier No. 29, North River, West street, foot of Vestry street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

884-19-A.

APPELLANT—J. W. Marshall, attorney, for Pennsylvania Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 30, North River, West street, foot of Desbrosses street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(884-19-A)

WHEREAS, J. W. Marshall, attorney for Pennsylvania Railroad Company, lessee, City of New York, owner, filed October 30, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 95233-F, affecting premises, Pier No. 30, North River, West street, foot of Desbrosses street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

885-19-A.

APPELLANT—J. W. Marshall, attorney, for Pennsylvania Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 78, North River, foot of West 38th street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

MINUTES

THE RESOLUTION—

(885-19-A)

WHEREAS, J. W. Marshall, attorney for Pennsylvania Railroad Company, lessee, City of New York, owner, filed October 30, 1919, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 95244-F and 95245-F, affecting premises, Pier No. 78, North River, foot of West 38th street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

886-19-A.

APPELLANT—Geo. H. Emerson, attorney, for Royal Mail Steam Packet Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 42, North River, West street, foot of Morton street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(886-19-A)

WHEREAS, George H. Emerson, attorney for Royal Mail Steam Packet Company, lessee, City of New York, owner, filed November 5, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 95610-F and 95611-F, affecting premises, Pier No. 42, North River, West street, foot of Morton street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

890-19-A.

APPELLANT—U. S. Railroad Administration for N. Y. N. H. & H. R. R. Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 70, East River, Marginal street, foot of East 22nd street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(890-19-A)

WHEREAS, U. S. Railroad Administration for N. Y., N. H. & H. R. R. Company, lessee, City of New York, owner filed November 26, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 94825-F, affecting premises, Pier No. 70, East River, Marginal street, foot of East 22nd street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

937-19-A.

APPELLANT—U. S. Railroad Administration for N. Y. N. H. & H. R. R. Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier Nos. 37 and 38, East River, South street, foot of Clinton street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(937-19-A)

WHEREAS, U. S. Railroad Administration for N. Y., N. H. & H. R. R. Company, lessee, City of New York, owner, filed December 24, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 95621-F, affecting premises, Pier Nos. 37 and 38, East River, South street, foot of Clinton St., Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

948-19-A.

APPELLANT—W. F. Cox, attorney, for Manhattan Terminal Co., lessee, City of New York, owner.
SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 121, North River, foot of West 131st street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(948-19-A)

WHEREAS, W. F. Cox, attorney for Manhattan Terminal Company, lessee, City of New York, owner, filed December 12, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 95587-F, affecting premises, Pier No. 121, North River, foot of West 131st street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933 the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

949-19-A.

APPELLANT—W. F. Cox, attorney, for Manhattan Terminal Co., lessee, City of New York, owner.
SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 121, North River, foot of West 131st street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(949-19-A)

WHEREAS, W. F. Cox, attorney for Manhattan Terminal Company, lessee, City of New York, owner, filed December 12, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 95586-F, affecting premises, Pier No. 121, North River, foot of West 131st street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

950-19-A.

APPELLANT—W. F. Cox, attorney, for Manhattan Terminal Co., lessee, City of New York, owner.
SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 121, North River, foot of West 131st street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(950-19-A)

WHEREAS, W. F. Cox, attorney for Manhattan Terminal Company, lessee, City of New York, owner, filed December 12, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 95585-F, affecting premises, Pier No. 121, North River, foot of West 131st street, Borough of Manhattan; and

MINUTES

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

981-19-A.

APPELLANT—Long Island R. R. Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier Nos. 22-25, East River, South street, foot of James Slip and Oliver street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(981-19-A)

WHEREAS, Long Island R. R. Company, lessee, City of New York, owner, filed December 22, 1919, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 94831-F, affecting premises, Pier No. 22-25, East River, South street, foot of James Slip and Oliver street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

1003-19-A.

APPELLANT—J. W. Marshall, attorney, for Pennsylvania Railroad Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 28, North River, West street, foot of Lighthouse street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(1003-19-A)

WHEREAS, J. W. Marshall, attorney for Pennsylvania Railroad Company, lessee, City of New York, owner, filed December 29, 1919, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 97026-F and 97027-F, affecting premises, Pier No. 28, North River, West street, foot of Lighthouse street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

31-20-A.

APPELLANT—William A. Macy, for New York and Cuba Mail Steamship Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 13, East River, South street, foot of Wall street, Borough of Manhattan.

THE VOTE TO DISMISS—

ACTION OF BOARD—Appeal dismissed.

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(31-20-A)

WHEREAS, William A. Macy, for New York and Cuba Mail Steamship Company, lessee, City of New York, owner, filed January 14, 1920, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 95955-F, affecting premises, Pier No. 13, East River, South street, foot of Wall street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

MINUTES

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

383-20-A.

APPELLANT—Central Vermont Ry. Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 29, East River, South street, foot of Market street, Borough of Manhattan.

THE VOTE TO DISMISS—

ACTION OF BOARD—Appeal dismissed.

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(383-20-A)

WHEREAS, Central Vermont Ry. Company, lessee, City of New York, owner, filed June 14, 1920, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 94500-F and 13411-C, affecting premises, Pier No. 29, East River, South street, foot of Market street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

907-21-A.

APPELLANT—Baltimore & Ohio R. R. Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES—AFFECTED—Pier No. 21, East River, South street, foot of Dover street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(907-21-A)

WHEREAS, Baltimore & Ohio R. R. Company, lessee, City of New York, owner, filed August 23, 1921, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 95706-F, affecting premises, Pier No. 21, East River, South street, foot of Dover street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

1205-21-A.

APPELLANT—Baltimore & Ohio R. R. Co., lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 21, East River, South street, foot of Dover street, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(1205-21-A)

WHEREAS, Baltimore & Ohio R. R. Company, lessee, City of New York, owner, filed December 2, 1921, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 95706-F, affecting premises, Pier No. 21, East River, South street, foot of Dover street, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933,

MINUTES

the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

1302-21-A.

APPELLANT—United Fruit Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 15, East River, South street, near Burling Slip, Borough of Manhattan.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(1302-21-A)

WHEREAS, United Fruit Company, lessee, City of New York, owner, filed November 5, 1921, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 93661-F and 24710-LC, affecting premises, Pier No. 15, East River, South street near Burling Slip, Borough of Manhattan; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

318-20-A.

APPELLANT—J. W. Marshall, attorney, for Pennsylvania R. R. Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier between North 4th and North 5th street, East River, Borough of Brooklyn.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(318-20-A)

WHEREAS, J. W. Marshall, attorney for Pennsylvania Railroad Company, lessee, City of New York, owner, filed May 13, 1920, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 80265-F and 80266-F, affecting premises, Pier between North 4th and North 5th streets, East River, Borough of Brooklyn; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

352-20-A.

APPELLANT—New York Central R. R. Co., lessee, City of New York, owner.

SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 3, Wallabout Basin, foot of Washington avenue and E. street, Borough of Brooklyn.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(352-20-A)

WHEREAS, New York Central R. R. Company, lessee, City of New York, owner, filed May 28, 1920, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 86273-LF and 86274-LF, affecting premises, Pier No. 3, Wallabout Basin, foot of Washington avenue and E street, Borough of Brooklyn; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

MINUTES

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

353-20-A.

APPELLANT—J. W. Marshall, attorney, for Pennsylvania R. R. Co., lessee, City of New York, owner.
SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 2, Wallabout Basin, foot of Washington avenue and E. street, Borough of Brooklyn.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(353-20-A)

WHEREAS, J. W. Marshall, attorney for Pennsylvania Railroad Company, lessee, City of New York, owner, filed June 1, 1920, an appeal with the Board of Appeals from orders of the Fire Commissioner No. 80531-F, 80532-F, 80533-F and 80534-F, affecting premises, Pier No. 2 Wallabout Basin, foot of Washington avenue and E street, Borough of Brooklyn; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

471-20-A.

APPELLANT—J. W. Marshall, attorney, for Pennsylvania R. R. Co., lessee, City of New York, owner.
SUBJECT—Appeal from orders of the Fire Commissioner.

PREMISES AFFECTED—Pier between North 4th and North 5th Street, East River, Borough of Brooklyn.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(471-20-A)

WHEREAS, J. W. Marshall, attorney for Pennsylvania Railroad Company, lessee, City of New York, owner, filed July 28, 1920, an appeal with the Board of Appeals from

orders of the Fire Commissioner No. 6869-F and 6870-F, affecting premises, Pier between North 4th and North 5th streets, East River, Borough of Brooklyn; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

1542-21-A.

APPELLANT—Jay Street Terminal, lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 3, East River, between Main and Fulton streets, Borough of Brooklyn.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(1542-21-A)

WHEREAS, Jay Street Terminal, lessee, City of New York, owner, filed August 27, 1920, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 80220-LF, affecting premises, Pier No. 3, East River, between Main and Fulton streets, Borough of Brooklyn; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

MINUTES

1543-21-A.

APPELLANT—Jay Street Terminal, lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 2, East River, between Main and Fulton streets, Borough of Brooklyn.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(1543-21-A)

WHEREAS, Jay Street Terminal, lessee, City of New York, owner, filed August 27, 1920, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 80513-LF, affecting premises, Pier No. 2, East River, between Main and Fulton streets, Borough of Brooklyn; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

1545-21-A.

APPELLANT—Jay Street Terminal, lessee, City of New York, owner.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—Pier No. 2, East River, between Main and Fulton streets, Borough of Brooklyn.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(1545-21-A)

WHEREAS, Jay Street Terminal, lessee, City of New York, owner, filed August 27, 1920, an appeal with the Board of Appeals from an order of the Fire Commissioner No. 80512-LF, affecting premises, Pier No. 2, East River, between Main and Fulton streets, Borough of Brooklyn; and

WHEREAS, this case, subject to an order of the Fire Commissioner, was placed on the Reserve Calendar because a test case was brought in the Supreme Court to determine

whether on City owned piers the Fire Commissioner had jurisdiction; and

WHEREAS, this case was carried to the Court of Appeals but was never settled or determined; and

WHEREAS, in the meantime Chapter 764 of the Laws of 1933, the McCall Bill placed The Fire Prevention Bureau under the jurisdiction of the Department of Buildings; and

WHEREAS, under Chapter 406 of the Charter prior to amendment and under Chapter 764 of the Laws of 1933, the Commissioner of Buildings has no jurisdiction over water front property; and

WHEREAS, for the above reason the Commissioner of Buildings has rescinded the order issued by the Fire Prevention Bureau now under his jurisdiction by virtue of Chapter 764 of the Laws of 1933, thereby removing the basis for this appeal.

Resolved, that the appeal be and it hereby is *dismissed* from the Reserve Calendar, violations having been rescinded by the Administrative Official.

APPLIANCES SUBMITTED FOR APPROVAL.

88-34-SA.

PETITIONER—L. S. Knight, agent for The Micro Corporation, owner.

SUBJECT—Bettendorf Automatic Oil Burner, Models D, G and F, approval of.

APPEARANCES—

For Petitioner: L. S. Knight.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to Engineer of the Board and Bureau of Combustibles, Fire Department, for test and report.

136-34-SA.

PETITIONER—John C. Korth, for Carter-Korth Oil Burner Corp., owner.

SUBJECT—Korth Oil Burner, Model G, approval of.

APPEARANCES—

For Petitioner: A. Eckhart.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to Engineer of Board, and Bureau of Combustibles, Fire Department, for test and report.

329-34-SA.

PETITIONER—Victor Oil Burner Mfg. Co., owner.

SUBJECT—Victor Range Oil Burner, Models VJ 275, VJ 195 and VO 275, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to Engineer of Board and Bureau of Combustibles, Fire Department, for test and report.

333-34-SA.

PETITIONER—William A. Young, for The Viking Manufacturing Company, owner.

SUBJECT—Viking Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80, approval of.

APPEARANCES—

For Petitioner: William A. Young.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to Engineer of Board and Bureau of Combustibles, Fire Department, for test and report.

339-34-SA.

PETITION—John McKenna, agent for A. J. Lindemann and Hoverson Co., owners.

MINUTES

SUBJECT—Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115 and Kerogas Duplex Oil Heater, Models 611, 621, 622A and 623, approval of.

APPEARANCES—

For Petitioner: John H. McKenna.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to Engineer of Board, and Bureau of Combustibles, Fire Department, for test and report.

345-34-SA.

PETITIONER—M. J. Marron, owner.

SUBJECT—Micron Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition placed on Reserve Calendar, referred to Engineer of Board, and Bureau of Combustibles, Fire Department, for test and report.

286-32-SA.

PETITIONER—The Hubbard Company, owner.

SUBJECT—Hubbard Silent Electric Oil Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Petition withdrawn upon written request of petitioner.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

155-34-SA.

PETITIONER—Francis F. Pannaman, for The Michigan Burner Co., owner.

SUBJECT—Midget Oil Burner—Approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of Engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(155-34-SA)

WHEREAS, Francis F. Pannaman for Michigan Burner Co., owner, filed August 15, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Midget Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the mechanical draft pot type and consists of the following parts: A cast iron vaporizing pot and air duct connected to a Sirocco type blower, which is operated by means of a Heinze motor. The controls consist of a Detroit Lubricator constant level valve, Model CRC 300; a Detroit lubricator solenoid valve and a Detroit lubricator surface aquastat, Model 251. The ignition is manual. The

burner as installed at the premises was used for generating hot water for use throughout the house. The controls were all tested and found to be operated at their proper settings. During the period of testing controls there was no puff-backs and an examination of the combustion chamber showed no undue carbon formation.

As a result of our inspection, it is recommended that this burner, when installed in accordance with the provisions of the oil burner rules adopted by the Board of Standards and Appeals be approved for domestic, commercial and industrial use, but not to include the use of this burner for pressing machine purposes as the model we tested was not equipped with suitable safeguards for such use.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Midget Oil Burner when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, for domestic, commercial and industrial installations with oil not heavier than No. 3, and with tanks not less than 275 gallons, on condition that there shall be permanently attached to each burner installed a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. NO. 155-34-SA.

236-34-SA.

PETITIONER—Sears, Roebuck and Co., owner.

SUBJECT—Air-O-Flame Range Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(236-34-SA)

WHEREAS, Sears Roebuck & Co., owner, filed August 14, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Air-O-Flame Range Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The burner installed here was equipped with a two-gallon horizontal barometric feed tank. The burner device consisted of two iron castings having concentric walls of $\frac{3}{4}$ in. in height. On top of the casting are fitted four cylindrical perforated tubes, one inside the other. Both burner units are mounted on a single iron base, which is bolted to the floor of the ash pit. The burner is equipped with regulating and metering valves, manufactured by the Florence Stove Company.

The burner was in operation with one unit lighted when we arrived for the test. A full supply of oil was then turned on in the second section. There were no explosions or puff backs after the expiration of about 20 minutes. The copper tubing used on this burner is extra heavy $\frac{5}{16}$ in. in diameter.

It was recognized that in these burners, there were inherent possible hazards due to location and operation.

MINUTES

In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, it is recommended that the same be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Air-O-Flame Range Burner, *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.
2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.
3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.
4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.
5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.
6. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.
7. Only approved safety cans shall be used for the storage and filling of oil containers.
8. Storage container shall not be filled in same room when and where burner is in operation.
9. Floor beneath oil burner device shall be protected by a shield of at least 1/2-inch asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed.
10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved

BY THE

BOARD OF STANDARDS AND APPEALS

for Use in New York City

UNDER CAL. NO. 236-34-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

304-34-SA.

PETITIONER—American Stove Company, owner.

SUBJECT—Quick Meal Range Burner, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(304-34-SA)

WHEREAS, American Stove Co., owner, filed October 30, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Quick Meal Range Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

Quick Meal Range Burner: The range burner consisted of a three-gallon tank made of 22 gauge terne plate. The tank is equipped with a magnetic vacuum tight gauge, manufactured by the Rochester Manufacturing Company. The tank rests in a 20 gauge enamel reservoir, which is mounted on a cast iron flange.

The burner device consists of two iron castings having concentric walls, approximately 3/4 in. in height. These castings are porcelain coated inside and outside. Both burners are supported on an adjustable base which is bolted to the ash pit. The burners are equipped with metering valves of the "V" slot type, manufactured by the Detroit Lubricator Company or the Hartford Machine Screw Company.

The base of the stand supporting the burners is equipped with leveling screws for obtaining the correct level of oil. The burner was operated with one light for approximately 20 minutes.

It was recognized that in these burners, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, it is recommended that the same be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Quick Meal Range Burner, *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.
2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per rule 7, 1A and 1B.
3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.
4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.
5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 in. from the range or stove in which the device is installed.
6. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.
7. Only approved safety cans shall be used for the storage and filling of oil containers.
8. Storage container shall not be filled in same room when and where burner is in operation.

MINUTES

9. Floor beneath oil burner device shall be protected by a shield of at least 1/2-in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved

BY THE

BOARD OF STANDARDS AND APPEALS

for Use in New York City

UNDER CAL. NO. 304-34-SA.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

305-34-SA.

PETITIONER—American Stove Company, owner.

SUBJECT—Quick Meal Water Heater No. 5681-0, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative

Absent

THE RESOLUTION—

(305-34-SA)

WHEREAS, American Stove Co., owner, filed October 30 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Quick Meal Water Heater Model 5681-0; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

Quick Meal Water Heater.

This water heater is self-contained intricately designed unit and it employs a standard Quick Meal 6 in. burner unit which is bolted directly to the case iron base. Surrounding the burner and continuing above it is a water coil. A standard Quick Meal three-gallon supply tank is used and separated from the double drum jacket surrounding the water coil and forming the main body of the water heater by an enamel sheet iron baffle.

The principle involved here is the same as that used in the range burner.

It was recognized that in these burners, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, it is recommended that the same be approved.

Resolved, that the Board of Standards and Appeals does hereby approve the Quick Meal Water Heater Model 5681-0 on condition that this device shall comply with the

Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved

BY THE

BOARD OF STANDARDS AND APPEALS

for Use in New York City

UNDER CAL. NO. 305-34-SA.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

2. Floor beneath the oil burning device shall be protected by a 1/2 in. asbestos or other equivalent shield, extending at least 12 inches beyond the outline of such device.

3. Flue connection to chimney shall be equipped with automatic dampers.

306-34-SA.

PETITIONER—American Stove Company, owner.

SUBJECT—Quick Meal Space Heaters, Models 5672-0, 5671-13, 5671-33 and 5671-35, approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney

Negative

Absent

THE RESOLUTION—

(306-34-SA)

WHEREAS, American Stove Co., owner, filed October 30, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Quick Meal Space Heaters, Models 5672-0, 5671-13, 5671-33 and 5671-35; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

Quick Meal Space Heaters:

These heaters are of sheet metal construction. The Model 5671-33 is a small round black enamel heater, equipped with a single 6 in. standard range burner.

The Model 5671-35 is a square enamel heater equipped with a single 8 in. standard range burner.

Both are equipped with a standard metering valve, the same as that used with the range burner, and a two-gallon horizontal type terne plate barometric feed tank.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals on June 15, 1934, it is recommended that same be approved, with certain recommendations to be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

Resolved, that the Board of Standards and Appeals does hereby approve the Quick Meal Space Heaters, Models 5672-0, 5671-13, 5671-33 and 5671-35 on condition that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

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1. Storage container must bear a label of the de-calcomania type reading as follows:

NOTICE APPROVED

BY THE

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. NO. 306-34-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

2. Floor beneath the oil burning device shall be protected by a $\frac{1}{2}$ in. asbestos or other equivalent shield, extending at least 12 in. beyond the outline of such device.

3. Flue connection to chimney shall be equipped with automatic dampers.

308-34-SA.

PETITIONER—Wm. V. McDevit, for Associated Oil Burner Co., owner.

SUBJECT—"Blue Glow" Range Oil Burner, Models Supreme and DeLuxe, approval of.

APPEARANCES—

For Petitioner: William V. McDevit.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(308-34-SA)

WHEREAS, Wm. V. McDevit, for Associated Oil Burner Co., owner, filed November 5, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Blue Glow Range Oil Burner, Models Supreme and De Luxe, and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The burner consists of a gray iron casting having two sets of concentric rings with walls approximately one inch in height. Inserted therein are four perforated cylinders of 17-21% chrome steel and on top of which is a chrome steel plate which separates and holds the cylinders in position. They come in single and twin units, ranging from $4\frac{1}{2}$ in. to 10 in. in diameter. Between both sets of cylinders is placed reinforced asbestos wicks.

The burner used for demonstration was equipped with a two-gallon glass bottle, having a metal guard with two handles on it. The metering valve used was of the "V" slot type, manufactured by the Hartford Screw Machine Company.

The base of the oil reservoir stand is 8 in. The burner units are supported on a single iron stand which has the necessary levelling screws and bolts for fastening it to the ash pit of the range.

The burner was operated with the front unit under maximum flame for a period of about one-half hour. The oil in the rear burner unit was then turned on full and there were no puff backs.

The above specification and description also covers the DeLuxe model, the only variation being that the

stand for the bottle is more sturdy and it also comes equipped with a 24 U. S. gauge metal tank of three-gallon capacity. The metal storage tank is securely held in place with a ring which automatically locks when it is put into place.

It was recognized that in these burners, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, it is recommended that the same be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Blue Glow Range Oil Burners, Models Supreme and De Luxe, *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals, also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling oil containers.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by shield of at least $\frac{1}{2}$ -in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved

BY THE

BOARD OF STANDARDS AND APPEALS

for Use in New York City

UNDER CAL. NO. 308-34-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

309-34-SA.

PETITIONER—Hupp Oil Burner Company, owner.

SUBJECT—Hupp Range Oil Burner, Models S.D. and C.D., approval of.

APPEARANCES—

For Petitioner: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the Board and Bureau of Combustibles, Fire Department.

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THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(309-34-SA)

WHEREAS, Hupp Oil Burner Company, owner, filed November 3, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Hupp Range Oil Burner, Models SD and CD; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The burner consisted of two iron ring castings having concentric rings $\frac{3}{4}$ in. in height. On top of these castings is fitted four cylindrical perforated cylinders. Each burner is equipped with its own pedestal which is supplied with the necessary leveling screws and a bolt for fastening it to the ash pit. On top of the vaporizing cylinders there is a steel cover which holds the cylinders in place. The oil is supplied from a two-gallon bottle in the Model SD. The metal basket for the bottle is equipped with two handles and is held in place by three spring clips fastened to the oil reservoir of the oil standard. Extra-heavy copper tubing is used in making connections. The meter valves used are of the V-slot type, manufactured by Hartford Screw Machine Company. The Model CD is equipped with a metal tank which operates on barometric pressure and is securely fastened to the standard by means of a clip handle. The burner units and oil reservoir are locked tight by Allan set screws after the operating level has been reached. These burners come in various sizes, ranging from $5\frac{1}{2}$ in. to 10 in. in both single and double units.

It was recognized that in these burners there were inherent possible hazards due to location and operation and in recommending these burners for approval, it is suggested that certain recommendations be carried out in their installation and incorporated in the instruction card which must be placed near the burner.

As this burner complies with the Oil Burner Rules adopted by the Board of Standards and Appeals, June 15, 1934, it is recommended that same be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Hupp Range Oil Burner, Models SD and CD, *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals, also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 in. from the range or stove in which the device is installed.

6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by shield of at least $\frac{1}{2}$ -in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved

BY THE

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. NO. 309-34-SA.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

323-34-SA.

PETITIONER—Wm. V. McDevit, for Oil Products Co., Inc., owner.

SUBJECT—Hi-Heat Range Burner, Models A and De Lux, approval of.

APPEARANCES—

For Petitioner. William V. McDevit.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the Board and Bureau of Combustibles, Fire Department.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(323-34-SA)

WHEREAS, Wm. V. McDevit, for Oil Products Co., Inc., owner, filed November 16, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Hi Heat Range Burner, Models A and De Lux; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustible of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The burner was installed in an ordinary kitchen range. The burner consists of an iron casting having two sets of concentric rings with walls $\frac{7}{8}$ in. in height. Inserted therein are four perforated cylinders of chrome steel. On the top of these cylinders is a chrome steel plate which separates and holds the cylinders in position. They are manufactured in single and twin units ranging in diameter from $4\frac{1}{2}$ in. to $9\frac{1}{2}$ in. Between both sets of cylinders is placed reinforced asbestos wicks. The burner is fastened to an adjustable pedestal, which is equipped with three leveling screws and heavy bolt for fastening it to the ash pit. The burner is equipped with two types of fuel containers. One is an ordinary atmospheric glass bottle type, the bottle being equipped with a metal basket and two handles. The other type of stand consists of a six-gallon tank mounted on a substantial iron stand. This burner

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is equipped with a Detroit lubricating constant level valve, which prevents a flooding of the combustion chambers with oil. The meter valves used on the burner are manufactured by the Fowler Oil Burner Company. Extra heavy copper tubing is used in making the oil connections.

It was recognized that in these burners, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, it is recommended that the same be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Hi-Heat Range Burner, Models A and De Lux, *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals, also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 in. in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by shield of at least ½-in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved

BY THE

BOARD OF STANDARDS AND APPEALS

for Use in New York City

UNDER CAL. NO. 323-34-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

Adjourned, 4:45 p. m.

EDWARD V. BARTON, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, December 4, 1934, as they appeared in Bulletin No. 50, Vol. XIX, are hereby corrected to read as follows:

THE RESOLUTION—

(265-34-A)

WHEREAS, Joseph T. Hammer, for Walter B. Cooke, Inc., lessee, filed September 12, 1934, an appeal from decisions of the commissioner of buildings, Brooklyn, and the board of buildings, affecting premises 151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Not No. 61), Borough of Brooklyn; and

WHEREAS, the decision of the board of buildings, dated August 23, 1934, reads:

APPELLANT—Walter B. Cooke, Inc., 1 West 190th street, New York City.

OBJECT—Application for reopening—denial—re appeal from order and decision of the Commissioner of Buildings, Department of Buildings, Borough of Brooklyn.

PREMISES AFFECTED—151 Linden boulevard, northwest corner Rogers avenue, Borough of Brooklyn.

APPEARANCES—Mr. J. T. Hammer.

THE VOTE TO REOPEN—For the purpose of securing denial from the Board of Buildings on this date.

Affirmative: Acting Chairman Thatcher, Commissioners Reville and Langworthy, Mr. Rippberger representing Commissioner Keller and Mr. McDermott representing Commissioner Fassler

Negative

*Correction—Duplication of words 'in relation to decisions given by the Corporation Counsel' omitted in lines 20 and 21 of resolution of board of buildings.

THE VOTE TO DENY—

Affirmative: Acting Chairman Thatcher, Commissioners Reville and Langworthy, Mr. Rippberger representing Commissioner Keller and Mr. McDermott representing Commissioner Fassler

Negative

RESOLUTION—Whereas, on April 12, 1934, the Board of Buildings adopted the following resolution:

"WHEREAS, under date of March 1, 1934, Mr. Joseph T. Hammer, representing Walter B. Cooke, Inc., 1 West 190th street, filed an appeal from order and decision of the Commissioner of Buildings, Department of Buildings, Borough of Brooklyn, on premises 151 Linden boulevard, Brooklyn; said order reads as follows:

"Proposed change in occupancy from a residential to an undertaking establishment questioned for acceptance in reference to frame building located within suburban limits—Section 5, Paragraph 4, Building Code; and"

"WHEREAS, Mr. Joseph T. Hammer appeared before the board at its meeting on March 15, 1934; and

"WHEREAS, the board agreed that Mr. Hammer should take the case up with the Corporation Counsel in relation to decisions given by the Corporation Counsel on Section 91 of the Building Code; and

"WHEREAS, Mr. Hayes, representing Mr. Joseph T. Hammer appeared before the board at its meeting on April 12, 1934; and

"WHEREAS, the Corporation Counsel has decided that the opinion above referred to are a general interpretation of Section 91 and that a specific case cannot be given special consideration in the light of those decisions.

"Resolved, that the order and decision of the Commissioner of Buildings, Department of Buildings,

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Borough of Brooklyn, be and it hereby is affirmed and the appeal be and hereby is denied."

and

"WHEREAS, Mr. J. T. Hammer appeared before the board at a special meeting held in the Local Board Meeting Room, Borough Hall, Brooklyn, on Thursday, August 23, 1934, and requested the board to reopen the case for the purpose of receiving either a modification of the original action taken by the board or a denial so that the matter may be taken before the Board of Standards and Appeals.

"Resolved, that the order and decision of the Commissioner of Buildings, Department of Buildings, Borough of Brooklyn, be and hereby is affirmed and the appeal be and hereby is denied and the original action of the Board of Buildings taken on April 12, 1934, is reaffirmed. This denial is made on this date so that the appellant may make application to the Board of Standards and Appeals within required twenty day limit."

and

WHEREAS, the decision of the Commissioner of Buildings, dated August 6, 1934, re Application No. 14855-1934, reads:

"Proposed change in occupancy from a residential to an undertakers establishment question for acceptance in reference to frame building located within suburban limits.

"Denied under Section 5, Paragraph 4 of the Building Code."

and

WHEREAS, the building is of frame construction, 2 stories and attic 39 ft. in height, 41 ft. by 39 ft. in area; occupied normally as a private dwelling; vacant at present; located within the suburban limits and also within a business use district; and

WHEREAS, the appellant proposes to use the premises in part as a funeral parlor; the first story to be used as a chapel, reception room, office and embalming room; the second story as a repose room and the display of not more than three sample caskets; no cooking will be done on the premises; no other part of the building will be used in connection with the funeral parlor, and no alteration of the building is to be made; a watchman will be maintained on the premises during the night; and

WHEREAS, the appellant contends that the building in question was erected in 1895, it is an existing condition; Section 91 of the Building Code affects buildings hereafter erected, consequently Subdivision 4 of Section 5 does not prohibit the proposed occupancy; the proposed occupancy is a profession, non-hazardous, does not endanger public safety, and furthermore conforms with all the requirements under the Building Code and the Building Zone Resolution; and

WHEREAS, these premises are located within an area zoned for business use in which funeral parlors are permitted; and

WHEREAS, in the opinion of the Board of Standards and Appeals, a frame building within the suburban limits formerly used as a residence cannot be altered for a business occupancy unless it complies with the requirements for a business building hereafter erected; and

WHEREAS, it appears that no structural alteration whatever is proposed to this frame dwelling for the proposed occupancy as a funeral parlor; and

WHEREAS, the premises were inspected by a committee of the board and a report of inspection was read at the hearing, which report follows, and which includes recommendations for granting the application under certain conditions that will carry out the spirit of the law as to

prevention of spread of fire within the suburban limits; and

WHEREAS, the report reads:

REPORT OF COMMITTEE OF INSPECTION.

Cal. No. 265-34-A.

Premises: 151 Linden boulevard, northwest corner of Rogers avenue (Block No. 5084, Lot No. 61), Borough of Brooklyn.

The purpose of establishing fire limits and suburban limits within the city was a fire prevention measure and not a zoning measure to establish the use of land. Specifically it was to limit the use of frame construction. There is no doubt that the ordinance requires that new buildings or building structurally altered from one use to another use must conform to the requirements for buildings hereafter erected. Section 91, Article V and Subdivision 4 of Section 5 of Article 1 of Chapter V of the Code of Ordinances, when read together, show this intent. It is not as clear that a building for which no alteration whatsoever is required in changing from a former use as a residence to a new use as a business must conform to the requirements for a building hereafter erected.

The matter of zoning is not involved here. While Linden boulevard is zoned for residence use, Rogers avenue on which these premises also front is zoned for business use and such use extends to the corner of Linden boulevard and 100 ft. along that boulevard from the corner of Rogers avenue. A funeral parlor is permitted in a district such as this is, zoned for business use.

Chapter V is declared in Article I, Section 1, Subdivision 3 "to be remedial and shall be construed liberally to secure the beneficial interests and purposes thereof." As far as the purposes of Section 91 are concerned, which as stated are to prevent the extended uses of frame construction as a fire preventive measure, they are satisfied in this instance by leaving the extensive area around this building unbuilt upon.

If this building the plot on which it is located is wholly within the area zoned for business use and is not structurally altered and is not increased in height or area, it is the opinion of the committee which inspected this site on November 22, 1934, that the desired use should be permitted provided further that the plot on which this building is located should also remain vacant and unbuilt upon except for the existing buildings and other buildings as may exist that are accessory thereto.

If in the judgment of the Commissioner of Buildings reinforcement of floor beams are needed to provide a safe floor loading, this should not be considered as an alteration.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee of Inspection.

Resolved, that the decision of the Board of Buildings be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, permitting the existing frame building to be used as a funeral parlor *on condition* that such building shall be entirely within the area zoned for business and that no additional buildings during the time that this building is so used shall be constructed or altered on the plot known as Block 5084, Lot No. 61 with the following dimensions: 162.6 ft. on Linden boulevard and 257.6¼ ft. on Rogers avenue; *on the further condition* that this building shall not be structurally altered or increased in height or area and that no illuminated sign shall be erected facing Linden boulevard.

RULES

PLUMBING, DRAINAGE, WATER SUPPLY, GAS PIPING AND VENTILATION OF BUILDINGS.

Adopted by the Superintendents of Buildings, Effective April 23, 1912; Amended by the Board of Standards and Appeals, July 5, 1917; December 27, 1918; March 8, 1921; October 21, 1921; July 17, 1923; January 8, 1924; May 5, 1931 and November 12, 1931.

Filing of Drawings, Descriptions, Etc.

1. Drawings and triplicate descriptions, on forms furnished by the Department of Buildings for all Plumbing and Drainage, shall be properly filled in, and filed by the owner or architect in the said Department. The plans must be drawn to scale in ink, on cloth, or they must be cloth prints of such scale drawings, and shall consist of such floor plans and sections as may be necessary to show clearly all plumbing work to be done, and must show partitions and methods of ventilating water-closet apartments.

2. The said plumbing and drainage shall not be commenced or proceeded with until said drawings and descriptions shall have been so filed and approved by the Commissioner of Buildings.

3. No modification of the approved drawings and descriptions will be permitted unless either amended drawings and triplicate descriptions, or an amendment to the original drawings and descriptions, covering the proposed change or changes, are so filed and approved by the Commissioner of Buildings.

4. The drainage and plumbing of all buildings, both public and private, shall be executed in accordance with the rules and regulations of the Department of Buildings.

5. Repairs or alterations of plumbing or drainage may be made without filing drawings and descriptions in the Department of Buildings, but such repairs or alterations shall not be construed to include cases where new vertical lines or horizontal branches of soil, waste, vent or leader pipes are proposed to be used.

6. Notice of such repairs or alterations shall be given to the said department before the same are commenced in such cases as shall be prescribed by the rules and regulations of the said department, and the work shall be done in accordance with the said rules and regulations.

7. Where repairs or alterations, ordered by the Board of Health or Tenement House Department for sanitary reasons, include cases where new vertical and horizontal lines of soil, waste, vent or leader pipes are proposed to be used or old ones replaced, drawings and descriptions must be filed with and approved by the Commissioner of Buildings before same shall be commenced or proceeded with.

8. Repairs and alterations may comply in all respects with the weight, quality, arrangement and venting of the rest of the work in the building. Except when an existing soil, waste or vent line has been damaged by fire or other causes to the extent of 50 per cent or more of its entire length, same must be replaced by new lines installed in accordance with the rules and regulations governing new lines.

9. No plumbing and drainage or any part thereof shall be commenced until the plumber who is to do the work shall sign the specifications and make affidavit that he is duly authorized to proceed with the work. Affidavit must give the name and address of owner and plumber, etc. No registered plumber shall sign the specifications and act as the agent for a plumber who has not obtained a certificate of competency from the Examining Board of Plumbers as an Employing or Master Plumber. A violation of this rule will be deemed a sufficient reason by the Commissioner of Buildings for the cancellation of a Certificate of Registration, in accordance with Chapter 803, Laws of 1896.

10. One set of specifications will be received for not

more than ten houses, and then only when on adjoining lots and houses are exactly alike.

11. Written notices must be given to the Commissioner of Buildings by the plumber when any work is begun, and at such times as the work is ready for inspection.

Definition of Terms.

12. The term "private sewer" is applied to main sewers that are not constructed by and under the supervision of the Department of Public Works.

13. The term "house sewer" is applied to that part of the main drain or sewer extending from a point two feet outside of the outer front wall of the building, vault or area to its connection with public sewer, private sewer or cesspool.

14. The term "house drain" is applied to that part of the main horizontal drain and its branches inside the walls of the building, vault or area and extending to and connecting with the house sewer.

15. The term "soil line" is applied to any vertical line of pipe having outlets above the floor of first story for water closet connections.

16. The term "waste line" is applied to any vertical line of pipe having outlets above the first floor for fixtures other than water closet.

17. The term "vent pipe" is applied to any special pipe provided to ventilate the system of piping and to prevent trap siphonage and back pressure.

Materials and Workmanship.

18. All materials must be of the best quality, free from defects, and all work must be executed in a thorough, workmanlike manner.

19. All cast-iron pipes and fittings must be uncoated, sound, cylindrical and smooth, free from cracks, sand holes and other defects, and of uniform thickness.

20. Pipe, including the hub, shall weigh not less than the following average weights per linear foot:

Diameters	Weights per Linear Foot	
	Standard	Extra Heavy
2 inches.....	3 3/5	5 1/2 pounds
3 inches.....	5 1/5	9 1/2 pounds
4 inches.....	7	13 pounds
5 inches.....	9	17 pounds
6 inches.....	11	20 pounds
7 inches.....	14	27 pounds
8 inches.....	17	33 1/2 pounds
10 inches.....	23	45 pounds
12 inches.....	33	54 pounds

Standard pipe may be used above ground in residence buildings not exceeding two stories and basement in height. In all other buildings extra heavy pipe shall be used.

21. The size, weight and maker's name must be cast on each length of pipe.

22. All joints must be made with picked oakum and molten lead and be made gas tight. Twelve ounces of fine, soft pig lead must be used at each joint for each inch in the diameter of the pipe when extra heavy pipe is used, and nine ounces when standard pipe is installed.

23. All wrought iron and steel pipes must be equal in quality to "standard" and must be properly tested by the manufacturer. All pipe must be lap-welded. No plain black or uncoated pipe will be permitted.

24. All wrought iron or steel water supply, vent, waste and soil pipes must be galvanized.

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25. Where galvanized wrought iron or steel pipe is required the fittings used on same must also be galvanized.

26. Fittings for waste or soil and refrigerator waste pipes must be cast-iron recessed and threaded drainage fittings, with smooth interior waterway, and threads tapped, so as to give a uniform grade to branches of not less than one-fourth of an inch per foot.

27. Short nipples on wrought iron or steel pipe, where the unthreaded part of the pipe is less than one and one-half inches long, must be of the thickness and weight to correspond to weight of pipe.

28. The pipe shall not be less than the following average thickness and weight per linear foot:

Diameter	Thicknesses	Weights per Linear Foot
1½ inches	.14 inches	2.68 pounds
2 inches	.15 inches	3.61 pounds
2½ inches	.20 inches	5.74 pounds
3 inches	.21 inches	7.54 pounds
3½ inches	.22 inches	9.00 pounds
4 inches	.23 inches	10.66 pounds
4½ inches	.24 inches	12.34 pounds
5 inches	.25 inches	14.50 pounds
6 inches	.28 inches	18.76 pounds
7 inches	.30 inches	23.27 pounds
8 inches	.32 inches	28.18 pounds
9 inches	.34 inches	33.70 pounds
10 inches	.36 inches	40.06 pounds
11 inches	.37 inches	45.02 pounds
12 inches	.37 inches	48.98 pounds

29. All brass pipe for soil, waste and vent pipes and solder nipples must be thoroughly annealed, drawn, brass tubing, of standard iron-pipe gauge.

30. Connections on brass pipe and between brass pipe and traps on iron pipe must not be made with slip joints of couplings. Threaded connections on brass pipe must be of the same size as iron pipe thread for same size of pipe and be tapered.

31. The following average thicknesses and weights per linear foot will be required:

Diameters	Thicknesses	Weights per Linear Foot
1½ inches	.14 inches	2.84 pounds
2 inches	.15 inches	3.82 pounds
2½ inches	.20 inches	6.08 pounds
3 inches	.21 inches	7.92 pounds
3½ inches	.22 inches	9.54 pounds
4 inches	.23 inches	11.29 pounds
4½ inches	.24 inches	13.08 pounds
5 inches	.25 inches	15.37 pounds
6 inches	.28 inches	19.88 pounds

32. Where light or heavy pipe is used brass ferrules must be of best quality cast brass, not less than 4 inches long and 2 inches and 3 inches and 4 inches in inside diameter and not less than the following weights:

Diameters	Weights
2 inches	1 pound 0 ounces
3 inches	1 pound 12 ounces
4 inches	2 pounds 8 ounces

33. One and one-half inch ferrules are not permitted.

34. Soldering nipples must be heavy cast brass or of brass pipe, iron pipe-size. When cast they must not be less than the following weights:

Diameters	Weights
1½ inches	0 pound 8 ounces
2 inches	0 pound 14 ounces
2½ inches	1 pound 6 ounces
3 inches	2 pounds 0 ounces
4 inches	3 pounds 8 ounces

35. Brass screw caps for cleanouts must be extra heavy, not less than one-eighth of an inch thick. The screw cap must have a solid square or hexagonal nut, not less than one inch high, with a least diameter of one and one-half inches. The body of the cleanout ferrule must be at least equal in weight and thickness to the caulking ferrule for the same size of pipe.

36. Where cleanouts are required by rules and by the approved plans, the screw cap must be of brass. The engaging part must have not less than six threads of iron-pipe size and be tapered. Cleanouts must be of full size of trap up to four inches in diameter, and not less than four inches for larger traps.

37. The use of lead pipes is restricted to the short branches of the soil and waste pipes, bends and traps, roof connections of inside leaders.

"Short branches" of lead pipe shall be construed to mean not more than:

8 feet of	1½ inch pipe
5 feet of	2 inch pipe
2 feet of	3 inch pipe
2 feet of	4 inch pipe

38. All connections between lead pipes and between lead and brass or copper pipes must be made by means of "wiped" solder joint.

39. All lead waste, soil, vent and flush pipes must be of the best quality, known in commerce as "D," and of not less than the following weights per linear foot:

Diameters	Weights per Linear Foot
1¼ inch (for flush pipes only)	2½ pounds
1½ inches	3 pounds
2 inches	4 pounds
3 inches	6 pounds
4 and 4½ inches	8 pounds

40. All lead traps and bends must be of the same weights and thicknesses as their corresponding pipe branches. Sheet lead for roof flashings must be six-pound lead, and must extend not less than six inches from the pipe, and the joint made watertight.

41. Copper tubing, when used for inside leader roof connections, must be seamless drawn tubing, not less than 22 gauge, and when used for roof flashings must be not less than 18 gauge.

General Regulations.

42. Each building must be separately and independently connected with a public or private sewer, or cesspool, except where a building is located on the rear of the same lot with another building, when its plumbing and drainage system may be connected to the house-drain of the front

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building behind the house trap and fresh air inlet which shall be used for both buildings if sewer connected; or may be connected to an existing cesspool of front house and be provided with a separate house trap and fresh air inlet.

43. Every building must have its sewer connections directly in front of the building, unless permission is otherwise granted by the Commissioner of Buildings.

44. Where there is no sewer in the street or avenue, and it is possible to construct a private sewer to connect in an adjacent street or avenue, a private sewer may be constructed, to be used in common for one or more buildings. It must be laid outside the curb under the roadway.

45. Cesspool and privy vaults will be permitted only after it has been shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary.

46. When allowed, they must be constructed strictly in accordance with the terms of the permit issued by the Commissioner of Buildings.

47. Cesspools must not be used as privy vaults nor can privy vaults be used as cesspools. Cesspool and privy vaults must be located at least 15 feet from any building and on the same lot as building for which their use is intended. Walls of cesspools and privy vaults when constructed of brick must be 8 inches thick; if of stone, 18 inches thick. Bottoms of cesspools and privy vaults must be of stone concrete 6 inches thick. The entire interior surface of cesspools and privy vaults must be finished with a coating of Portland cement mortar 1 inch thick.

48. As soon as it is possible to connect with a public sewer, the owner must have the cesspool and privy vault emptied, cleaned and disinfected and filled with fresh earth, and have a sewer connection made in the manner herewith prescribed.

49. All pipe lines must be supported at the base on brick piers, or by heavy iron hangers from the cellar ceiling-beams, and along the line by heavy iron hangers at intervals of not more than ten feet.

50. All pipes, issuing from extensions or elsewhere, which would otherwise open within 20 feet of the window of any building, must be extended above the top of any window located within such distance. When a building exceeds in height that of an adjoining building, and windows or openings are cut in the wall on the lot line within 20 feet of the roof terminal of any soil, waste or vent line now in place or subsequently installed in the lower building, the owner of the higher building shall defray the expense of extending said soil, waste or vent lines above the roof of the higher building, or shall himself make such alteration.

51. The arrangement of all pipes must be as straight and direct as possible. Offsets will be permitted only when unavoidable.

52. All pipes and traps should, where possible, be exposed to view. They should always be readily accessible for inspection and repairing.

53. In every building where there is a leader connected to the drain, if there are any plumbing fixtures, there must be at least one four (4) inch pipe extending above the roof for ventilation.

Yard, Area and Other Drains.

4. All yards, areas and courts exceeding 15 square feet in area must be drained into the sewer. A shaft open at the top not exceeding 25 square feet in area, and which cannot be connected in back of a leader, yard, court or area drain trap, may be drained into a publicly-placed, water-supplied, properly trapped and vented slop sink.

55. These drains, when sewer-connected, must have con-

nections not less than three inches in diameter. They should be controlled by one trap—the leader trap, if possible.

56. Floor drains will only be permitted when it can be shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary and arrangements made to maintain a permanent water seal in the traps.

57. Cellar drains may be connected in back of and controlled by a leader, yard, court or area drain trap which need not be vented.

58. Subsoil drains should discharge into a sump or receiving tank, the contents of which if discharged by gravity may be discharged into a rain leader, yard, court or area drain behind the trap controlling same or may be discharged through a properly-trapped and vented, water-supplied receptacle. Where mechanical force is required to discharge the contents into the plumbing and drainage system, a proper automatic cut-off or check valve must be provided on the connection between house-drain and apparatus used for raising the contents of sump-pit.

59. The contents of settling chamber or dust receptacle for vacuum cleaners may be discharged into a Plumbing and Drainage system, the same as sub-soil drain sump-pits.

Leaders.

60. Every building shall be kept provided with proper metallic gutters and rain leaders for conducting water from all roofs in such manner as shall protect the walls and foundations from injury. In no case shall the water from any rain leader be allowed to flow upon the sidewalk or adjoining property, but the same shall be conducted by proper pipes to the sewer. If there be no sewer in the street upon which the building fronts, then the water from said leaders may be conducted by proper pipes laid below the surface of sidewalk to the street gutter, or may be conducted by extra heavy cast-iron pipe to a leeching cesspool located at least 20 feet from any building. No plumbing fixtures shall discharge into a leeching cesspool.

61. Inside leaders must be made of cast-iron, wrought iron or steel, with roof connections made gas and water tight by means of a heavy lead or copper-drawn tubing wiped to a brass ferrule or nipple caulked or screwed into the pipe.

62. Outside leaders may be made of sheet metal, but they must connect with the house drain by means of a cast-iron pipe extending vertically five feet above the grade level.

63. Leaders must be trapped with cast-iron running traps so placed as to prevent freezing.

64. Rain-water leaders must not be used as soil, waste or vent pipes, nor shall any such pipe be used as a leader.

The House Sewer, House Drain, House Trap and Fresh Air Inlet.

65. Old house sewers may be used in connection with new buildings or new plumbing only when they are found, on examination by the plumbing inspector, to conform in all respects to the requirements governing new sewers.

66. When a proper foundation consisting of a natural bed of earth, rock, etc., can be obtained, the house sewer can be of earthenware pipe.

67. Where the ground is made or filled in, or where the pipes are less than three feet deep, or in any case where there is danger of settlement by frost or from any cause, and when cesspools are used, the house sewer must be of extra heavy cast-iron pipe, with lead-caulked joints.

68. No earthenware house-drain, when found in a leaky or defective condition, shall be repaired or replaced except with heavy cast-iron pipe.

69. The house-drain and its branches must be of extra heavy cast iron when under ground, and of extra

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heavy cast iron or galvanized wrought iron or steel when above ground, except as provided in Rule 20 of these rules.

70. The house drain must properly connect with the house sewer at a point two feet outside of the outer front vault or area wall of the building. An arched or other proper opening must be provided for the drain in the wall to prevent damage by settlement.

71. The house drain if above the cellar floor must be supported at intervals of ten feet by eight-inch brick piers or suspended from the floor beams, or be otherwise properly supported by proper hangers placed not more than 10 feet apart.

72. No steam-exhaust, boiler blow-off or drip-pipe shall be connected with the house-drain. Such pipes must first discharge into a proper condensing tank, and from this a proper outlet to the house sewer outside of the building must be provided. In low pressure steam systems the condensing tank may be omitted, but the waste connections must be otherwise as above required.

73. The house-drain and house-sewer must be run as direct as possible, with a fall of at least one-quarter inch per foot, all changes in direction made with proper fittings, and all connections made with Y branches and one-eighth and one-sixteenth bends.

74. The house-sewer and house-drain must be at least four inches in diameter when receiving the discharge of a water-closet. Where rain leaders are connected to the plumbing system, the sizes of house-sewer, house-drain and leader connections shall be computed according to the square feet of area drained into them. No house-sewer or house-drain shall be of less diameter than the largest line of pipe connected thereon. The following table is the maximum area allowed to drain into pipes of given diameter:

Diameter of Pipe	Fall ¼ Inch Per Foot	Fall ½ Inch per Foot
3.....	1,200 square feet	1,500 square feet
4.....	2,500 square feet	3,200 square feet
5.....	4,500 square feet	6,000 square feet
6.....	8,000 square feet	10,000 square feet
7.....	12,400 square feet	15,600 square feet
8.....	18,000 square feet	22,500 square feet
9.....	25,000 square feet	31,500 square feet
10.....	41,000 square feet	59,000 square feet
12.....	69,000 square feet	98,000 square feet

75. Full size Y and T branch fittings for handhole cleanouts must be provided where required on house-drain and its branches. No cleanout need be larger than 6 inches in diameter.

76. An iron running trap must be placed in the house-drain near the front wall of the house, and on the sewer side of all connections, except a Y fitting used to receive the discharge from an automatic sewage lift, oil separator, or a drip-pipe where one is used. If placed outside of the house or below the cellar floor, it must be made accessible in a brick manhole, the walls of which must be eight inches thick, with an iron or flagstone cover. When outside the house it must never be less than three feet below the surface of the ground.

77. When the plumbing system of any building is altered by the addition of a new soil, waste or vent line to the extent of 50 per cent. or more, and no house trap and fresh air inlet or leader trap exists on the house-drain, same shall be provided.

78. The house trap must have two cleanouts, with brass screw cap ferrules caulked in.

79. A fresh-air inlet pipe must be connected with the house-drain just inside of the house trap and extended to the outer air, terminating with open end at least one foot

above the grade at most available point to be approved by the Commissioner of Buildings and shown on plans. The fresh-air inlet pipe shall be one-half the diameter of house-drain but not less than 4 inches in diameter.

80. No curb box or similar device with grating placed in sidewalk will be permitted for fresh air inlets.

Soil and Waste Lines.

81. All main, soil, waste or vent pipes must be of iron, steel or brass.

82. When they receive the discharge of fixtures on any floor above the first, they must be extended in full calibre at least one foot above the roof coping, and well away from all shafts, windows, chimneys or other ventilating openings. When less than four inches in diameter, they must be enlarged to four inches at a point not less than one foot below the roof surface by an increaser not less than nine (9) inches long.

83. No caps, cowls or bends shall be affixed to the top of such stack.

84. In all buildings, wire baskets must be securely fastened into the opening of each pipe in an accessible position. When roofs are used for drying purposes or roof gardens, all pipes shall be extended to a height of seven feet.

85. Necessary offsets above the highest fixture branch must not be made at an angle of less than forty-five degrees to the horizontal.

86. Soil and waste pipes must have proper Y or TY branches for all fixture connections.

87. No connection to lead branches for water-closets or slop sinks will be permitted, except the required branch vent.

88. Branch soil and waste pipe must have a fall of at least one-quarter inch per foot.

89. Short TY branches will be permitted on vertical lines only. Long one-quarter bends and long TY's are permitted. Short one-quarter bends and double hubs, short roof increasers and common offsets, and bands and saddles are prohibited.

90. The diameters of soil and waste pipes must not be less than those given in the following table:

Main soil stacks in buildings serving not more than two sets of fixtures in four or less stories	4	inches
Main soil stacks in residence buildings serving not more than two sets of fixtures in five or six stories	4	inches
Main soil stacks in all other cases.....	5	inches
Branch soil pipes for not more than four water-closets	3	inches
Branch soil pipes for more than four water-closets	4	inches
Main waste stacks	2	inches
Main waste stacks for kitchen sinks on six or more floors	3	inches
Branch waste pipes for slop sinks.....	3	inches
Branch waste pipes for laundry tubs.....	1½	inches
When set in ranges of three.....	2	inches
Branch waste for kitchen sinks.....	2	inches
Branch waste for urinals.....	2	inches
Branch waste for other fixtures.....	1½	inches

A set of fixtures, as used in this rule, shall include not more than one water-closet, one bath tub, one wash basin, one sink and two laundry trays.

Vent Pipes.

91. All traps, except approved anti-siphon traps con-

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nected to main waste or soil lines or to the house drain by branch piping not over seven (7) feet in length with a fall not exceeding two (2) inches per foot, shall be protected from siphonage and back-pressure by special lines of vent pipes; provided that where approved deep-seal siphon-jet water-closet or slop sink fixtures are installed with branch piping not over five (5) feet in length from fixture to main soil or waste line, the vent pipe may be omitted for such fixtures in buildings not over eight (8) stories in height, and where the main soil or waste line is made one inch larger in diameter than required by these rules, the vent pipe may also be omitted for such fixtures in buildings over eight (8) stories in height.

92. All vent pipe lines and main branches must be of iron, steel or brass. They must be increased in diameter and extended above the roof as required for waste pipes. They may be connected with the adjoining soil or waste line well above the highest fixture, but this will not be permitted when there are fixtures on more than six floors.

93. All offsets must be made at an angle of not less than forty-five degrees to the horizontal, and all lines must be connected at the bottom with a soil or waste pipe or the drain in such a manner as to prevent the accumulation or rust scale.

94. Branch vent pipes shall be kept above the top of all connecting fixtures, so as to prevent the use of vent pipes as soil pipes or waste pipes. Branch vent pipes should be connected not less than six inches nor more than two feet from crown or trap or side of lead bend.

95. Except where "yoke type" ventilation is installed, vent connection for water-closets and slop sinks must be made from the branch soil or waste pipe just below the trap of the fixture, and the branch vent pipe must be so connected as to prevent obstruction, and no waste pipe connected between it and the fixture. Earthenware traps must have no vent horns.

"Yoke type" ventilation shall be taken to mean a cross connection, by means of a horizontal branch soil or waste pipe, between the main soil or waste line and the vent line, and in which the connection between the branch pipe and the vent line is made at least six (6) inches above the line of fixtures discharging into such branch pipe.

96. No sheet metal, brick or other flue shall be used as a vent pipe.

97. The sizes of vent pipes throughout must not be less than the following:

For main vents, two inches in diameter; for water-closets on three or more floors, three inches in diameter; for other fixtures on less than seven floors, two inches in diameter; three-inch vent pipe will be permitted for less than nine stories; for more than eight and less than sixteen stories, four inches in diameter; for more than fifteen and less than twenty-two stories, five inches in diameter; for more than twenty-one stories the size of the vent pipe shall be determined by the Commissioner of Buildings.

For fixtures other than water-closets and slop sinks and for more than eight stories, vent pipes may be one inch smaller in diameter than above stated.

For long branch vent pipes over 10 feet in length but not exceeding 25 feet, two inches in diameter; when over 25 feet in length but not exceeding 50 feet, three inches in diameter. No branch vent pipe can exceed 50 feet in length, nor can any main vent be of less diameter than the largest branch vent connecting to same.

98. When the plumbing fixtures installed in any building are arranged in groups or batteries, "yoke type" ventilation may be installed, provided that for batteries of water-closets each fixture shall be set not more than two (2) feet distant from the horizontal branch soil pipe into which it discharges, and for batteries of fixtures other than

water-closets each fixture shall be so located that its trap will be not more than two (2) feet distant from the horizontal branch waste line into which it discharges. When the ordinary type of venting is installed and the number of branch or back vents from the traps of fixtures connecting to any main branch vent exceeds the number and size given in the following table, a 3-inch main branch vent must be provided for the additional vent connections.

2-1½	inch branches on a 1½ inch main branch.
4-2	inch branches on a 2 inch main branch.
7-1½	inch branches on a 2 inch main branch.
2-2	} inch branches on a 2 inch main branch.
4-1½	
1-2	} inch branches on a 2 inch main branch.
5-1½	

Traps.

99. No form of trap will be permitted to be used unless it has been approved by the Commissioner of Buildings or the Board of Standards and Appeals.

No anti-siphon trap or deep-seal siphon-jet fixture shall be approved until it has successfully passed such test as may be prescribed by the Board of Standards and Appeals.

100. No masons' cesspool, bell, pot, bottle or D-trap will be permitted, nor any form of trap that it not self-cleaning, nor that has interior chamber or mechanism, nor any trap except earthenware ones that depend upon interior partitions for a seal. Backwater or tide valves will only be permitted when it can be shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary and of a type as approved by him.

101. Every fixture must be separately trapped by a water-sealing trap placed as close to the fixture outlet as possible, and no trap shall be placed more than 2 feet 0 inches from any fixture.

102. A set of not more than three wash trays may connect with a single trap, or into the trap of an adjoining sink, provided both sink and tub waste outlets are on the same side of the waste line, and the sink is nearest the line. When so connected, the waste pipe from the wash trays must be branched in below the water-seal.

103. The discharge from any fixture must not pass through more than one trap before reaching the house-drain.

104. All traps must be well supported and set true with respect to their water levels.

105. All fixtures, other than water-closets and urinals, must have strong metallic strainers or bars over the outlets to prevent obstruction of the waste pipe.

106. All exposed or accessible traps, except water-closet traps, must have brass trap screws for cleaning the trap placed on the inlet side, or below the water level.

107. All iron traps for house-drain, yard and other drains and leaders must be running traps with handhole cleanouts of full size of the traps, when same are less than five (5) inches. All traps under ground must be made accessible by brick manholes with proper covers.

108. Overflow pipes from fixtures must in all cases be connected on the inlet side of traps.

109. All earthenware traps must have approved heavy brass floor plates properly secured to the branch soil pipe and bolted to the trap flange, and the joint made gas-tight. The use of rubber washers for floor connections is prohibited. All floor flanges must be set in place and inspected before any water-closet is set thereon.

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110. No trap shall be placed at the foot of main soil and waste pipe lines.

111. Every plunge bath shall be provided with a trap at least four inches in diameter, the waste from trap to bath to be reduced to two inches in diameter and this waste to be controlled by a gate valve. Overflow pipes, if provided, must be connected on inlet side of trap. Except where an approved anti-siphon trap is installed in the manner specified in Rule 91, such trap must be ventilated by a separate vent line extended above the roof, of the same size as trap and water connection.

112. The sizes for traps must not be less than those given in the following table:

Traps for water-closets.....	4	inches in diameter
Traps for slop sinks.....	3	inches in diameter
Traps for kitchen sinks.....	2	inches in diameter
Traps for wash trays.....	2	inches in diameter
Traps for urinals.....	2	inches in diameter
Traps for shower-baths.....	2	inches in diameter
Traps for other fixtures.....	1½	inches in diameter

Traps for leaders, area, floor and other drains must be at least 3 inches in diameter.

113. Every dental cuspidor must be separately trapped by a trap of at least one and one-half (1½) inches in diameter, which shall be vented except where an approved anti-siphon trap is installed in the manner specified in Rule 91, and placed as close to the fixture as possible. The connection between trap and cuspidor may be three-quarters (¾) of an inch in diameter.

114. No plumbing fixtures, except bar sinks, soda fountains or drinking fountains, shall be installed with an indirect waste connection to the plumbing and drainage system. The waste of every bar sink, soda fountain and drinking fountain, if not directly connected, must discharge over a properly water-supplied, trapped sink, with trap vented, unless an approved anti-siphon trap is installed in the manner specified in Rule 91. The main waste lines shall be two (2) inches in diameter, and the branches to fixtures at least one and one-half (1½) inches in diameter. Drinking fountains must be trapped and the waste line extended through the roof. No vent connections need be provided.

Safe and Refrigerator Waste Pipes.

115. Safe and refrigerator waste pipes must be of galvanized iron, and be not less than 1¼ inches in diameter nor larger than 1½ inches in diameter with pipe branches at least 1 inch in diameter with strainers over each inlet.

116. Safe and refrigerator waste pipes shall not be trapped. They must discharge over a properly water-supplied, trapped sink, with trap vented unless an approved anti-siphon trap is installed in the manner specified in Rule 91, such sink to be publicly placed, and not more than 4 feet above the floor. In no case shall any refrigerator or safe waste pipe discharge over a sink located in a room used for living purposes.

117. The branches on vertical lines must be made by Y or TY fittings and carried up to the safe with as much pitch as possible.

118. Lead safes must be graded and neatly turned over bevel strips at their edges.

119. Where there is an offset on a refrigerator waste pipe in the cellar, there must be cleanouts to control the horizontal part of the pipe.

120. In all lodgings and tenement houses the safe and refrigerator waste pipes must extend above the roof.

Water Closets, Sinks and Washtubs.

(Good except as relating to tenement houses and factories)

121. In all buildings occupied as stores, dwellings, lodging or boarding houses, hotels, offices, lofts, workshops, factories or storage houses, there must be at least one water-closet in each building. There must be sufficient water-closets so that there will never be more than 15 persons to each water-closet. In places of public assembly, the number of toilets and the most available location are to be determined by the Commissioner of Buildings.

122. Separate water-closets and toilet rooms must be provided for each sex in buildings used as workshops, lofts, office buildings, factories, hotels, and all places of public assembly.

123. In lodging houses, there must be one water-closet on each floor, and where there are more than 15 persons on any floor there must be an additional water-closet on that floor for every 15 additional persons or fraction thereof.

124. In tenement houses, lodging houses, factories, workshops, and all public buildings, the entire water-closet apartment, and side walls to a height of six inches from the floor, except at the door, must be made waterproof with asphalt, cement, tile, metal or other waterproof material as approved by the Commissioner of Buildings.

125. In all buildings, the water-closet and urinal apartments must be ventilated to the outer air by windows opening on the same lot upon which the building is situated or by a ventilating skylight placed over each room or apartment wherein such fixtures are located.

126. In all buildings, the outside partition of any water-closet or urinal apartment must be air-tight and extend to the ceiling or be independently ceiled over. When necessary to properly light such apartments, the upper part of the partitions must be provided with translucent glass. The interior partitions of such apartments must be dwarfed partitions.

127. The general water-closet accommodation of any building cannot be placed in the cellar, nor can any water-closet be placed outside of a building except to replace an existing water-closet.

128. In alteration work where it is not practicable to ventilate a water-closet or urinal apartment by windows or a skylight directly to the outer air, there may be provided a galvanized wrought iron vent duct extended to the outer air which must be equal in area to at least 144 inches for one water-closet or urinal, and an additional 72 square inches for each water-closet added therein.

129. Where water-closets will not support a rim-seat, the seat must be supported on galvanized iron legs.

130. Every earthenware water-closet with connection through the floor in all new work, and in all alterations, must be set on an approved floor slab of porcelain, slate or other material impervious to moisture, same to be not less in size than the base of the water-closet set thereon.

131. All water-closets must have earthenware flushing rim bowls. They must be set entirely free and open from all enclosing woodwork.

132. Pan, plunger, offset-washout and washout, or other water-closets having an unventilated space, or the walls of which are not thoroughly washed out at each discharge, will not be permitted.

133. Long hopper water-closets will not be permitted, except earthenware hoppers where there is an exposure to frost.

134. Drip trays on water-closets will not be permitted.

135. Water-closets and urinals must never be connected directly with or flushed from the water-supply pipes, except when flushometer valves are used.

136. Each water-closet and urinal must be flushed from a separate cistern, the water from which is used for no other purpose, or may be flushed through flushometer valves.

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137. Where "Flushometers" are used, they must be supplied from tank pressure, unless otherwise permitted by the Commissioner of Buildings; the rising lines shall be at least one and one-half inches in diameter, and the main branches shall be at least one and one-quarter inches in diameter, with individual branches not less than one inch in diameter, for water-closets and not less than one-half inch in diameter for urinals. Individual branches shall not exceed twelve inches in length.

138. The overflow of cisterns may discharge into the bowl of the closet, but in no case connect with any part of the drainage system.

139. Iron water-closet and urinal cisterns and automatic water-closet and urinal cisterns are prohibited, unless approved by the Commissioner of Buildings.

140. The copper lining of water-closet and urinal cisterns must not be lighter than ten (10) ounce copper.

141. Water-closet flush pipes must not be less than one and one-fourth inches and urinal flush pipes one (1) inch in diameter, and if of lead must not weigh less than two and one-half pounds and two pounds per linear foot. Flush couplings must be of full size of the pipe.

142. Rubber connections and elbows are not permitted on flush pipes.

143. Latrines, trough water-closets and similar appliances may be used only on written permit from the Commissioner of Buildings, and must be set and arranged as may be required by the terms of the permit.

144. All urinals must be constructed of materials impervious to moisture, and that will not corrode under the action of urine. The floor and wall of the urinal apartments must be lined with similar non-absorbent and non-corrosive material.

145. The platforms of treads of urinal stalls must never be connected independently to the plumbing system, nor can they be connected to any safe waste pipe.

146. Iron trough water-closets and trough urinals must be enameled or galvanized.

147. In all houses, sinks must be entirely open, on iron legs or brackets without any inclosing woodwork.

148. Wooden wash tubs are prohibited, except when used in hotels, restaurants or bottling establishments for washing dishes or bottles. Cement or artificial stone tubs will not be permitted unless approved by the Commissioner of Buildings.

Water Supply for Fixtures.

149. All water-closets and other plumbing fixtures must be provided with a sufficient supply of water for flushing to keep them in a proper and cleanly condition.

Flush tanks must have a capacity of eight gallons for water-closets and five gallons for urinals.

150. House service pipes must be connected to the street mains by means of taps, and a stop-cock or valve placed under the sidewalk at the curb, in compliance with the rules and under the supervision of the Department of Water Supply, Gas and Electricity.

151. A separate stop or valve must be placed upon the service pipe inside the front wall.

152. The diameters of street service pipes must not be less than three-quarter inch for dwellings and tenements occupied by six families or less; one inch for tenements and one and one-half inch for hotels, factories and other miscellaneous buildings, provided that in no case can the diameter of the service pipes be less than the diameter of the tap installed under the supervision of the Department of Water Supply, Gas and Electricity.

Riser Lines.

153. The diameter of all riser lines in plumbing systems shall be not less than three-quarters ($\frac{3}{4}$) inches; except that when lead or brass pipe is used, the minimum diameter may be one-half ($\frac{1}{2}$) inch.

Separate stop-cocks or valves, so located as to be accessible at all times, shall be placed at the foot of each riser line and, in all buildings other than residence buildings occupied exclusively by one or two families or having not more than fifteen sleeping rooms, on each branch line from the riser for each isolated fixture or each group of fixtures, such as bathroom fixtures, kitchen fixtures, etc.; except that only one stop cock or valve shall be required for the fixtures contained in any one apartment, suite, store or loft occupied by one tenant when all the fixtures contained in each such apartment, suite, store or loft are supplied from one branch line.

154. Diameters of branches to any fixtures must not be less than one-half inch, except when used to supply water-closets, cisterns or laboratories. When the material used is lead or brass pipe, the minimum diameter may be three-eighths inch. Branches for flush valves for water-closets must not be less than one and one-quarter inch in diameter and for urinals not less than three-quarters of an inch in diameter.

155. Where a hot water supply system is installed, the distance between the hot and cold water risers should not be less than six inches. Where it is impossible to place them six inches or more apart, the hot water riser must be covered with an approved insulating material and a method of circulation provided that will insure a prompt delivery of hot water at the faucet when required.

All hot water systems in buildings of more than four stories in height shall be of an approved circulating type. In buildings of four stories or less where the developed length of hot water piping exceeds 100 feet from the boiler to the fixture, an approved circulating system shall be installed.

(In connection with this amendment adopted November 12, 1931, all present installations where complying with the current rules may be maintained until April 1, 1933, with the proviso that should the Commissioner of the Department of Water Supply, Gas & Electricity deem an emergency exists the rule shall become effective on thirty days' notice of such emergency to the Commissioner of Buildings).

156. All risers and branches must be properly fastened.

157. When the water pressure is not sufficient to supply freely and continuously all fixtures, a house supply tank must be provided of sufficient size to afford an ample supply of water to all fixtures at all times. Such tanks must be supplied from the pressure or by power pumps, as may be necessary; when from the pressure, ball cocks must be provided.

158. House supply tanks must be metal-covered so as to exclude dust and so located as to prevent water contamination by gas and odors from plumbing fixtures.

159. House supply tanks must be of wood or iron, or of wood lined with tinned and planished copper.

160. House tanks must be supported on iron beams.

161. The overflow pipe should discharge upon the roof, where possible, and in such cases should be brought down to within six (6) inches of the roof, or it must be trapped and discharged over an open and water-supplied sink not in the same room, nor over three and one-half feet above the floor. In no case shall the overflow be connected with any part of the plumbing system.

162. Emptying pipes for such tanks must be provided and be discharged in the manner required for overflow pipes, and may be branched into overflow pipes. Emptying pipes for tanks containing more than five hundred (500) gallons must be four (4) inches in diameter and provided with a valve of same size fitted with a wheel or lever handle.

163. Acid wastes must be "B" lead pipe or earthen pipe; if of lead pipe they must be at least two inches in diameter, and if of earthen pipe at least three inches in diameter and continued down to the lower story of building and

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so arranged as to discharge into a lime box and diluting sink properly trapped and vented and connected inside of house trap. If the lime box and diluting sink are not used the acid waste must be extended to an earthen house sewer or separately and independently connected to a public or private sewer in street and provided with an accessible running trap located just inside of front wall of building. All branches and joints on lead acid wastes must be made by means of burnt lead joints. If earthenware pipe is used, vertical joints must be made with a mixture of asphaltum and cement. Each length of pipe on vertical runs and on horizontal runs when above the cellar floor must be supported at each hub by proper supports. All floor drains and fixture connections must be trapped and run as direct as possible.

Sewage Lifts.

164. When it is necessary to use a sump system and sewage lift to receive the discharge from the waste or soil connection to fixtures, same shall be arranged to be accessible. If discharged with compressed air it shall be connected to the house drain on the sewer side of all leader or area drain traps and fixture connections or may be connected to house drain on the sewer side of house trap. A separate trap and fresh air inlet must be provided on the inlet side of sump and a 4-inch pipe line continued from drain discharging into sump up to and above roof, for purposes of ventilation. Relief pipes must be provided on sewage receptacles of sumps. Traps of fixtures connected to sump systems must not be vented to vent lines which are used to ventilate traps of fixtures on gravity system. Sump systems should be entirely separate both as to discharge and venting from rest of plumbing system in buildings.

Oil Separators.

165. Oil separators installed in any building where volatile fluids are used must be arranged to be readily accessible. They must not receive the discharge of any water-closet, rain leader, yard, court or area drain.

166. They must, if discharged by gravity, be connected by a Y branch fitting to the house drain behind the house trap in such a manner that they will not interfere with the house drain and the rest of the plumbing and drainage system. When mechanical force is used to discharge the contents, the connection must be made by a Y branch fitting on the sewer side of house trap.

167. No separate running trap need be provided on the drain entering oil separators, but a separate fresh air inlet and vent line must be provided to keep the system of drainage controlled by the oil separator entirely separate from the rest of plumbing and drainage system.

168. The size of fresh air inlet shall be determined by the size of inlet connection to oil separator, which shall be considered the same as the term house-drain for determining the size of all fresh air inlets, which shall conform to the same requirements as regards size and arrangement of terminals for fresh air inlets as called for in regulations.

169. Vent lines shall conform in all respects to vent lines for plumbing fixtures as regards size and arrangement.

170. Relief pipes must be provided at least 1½ inches in diameter. They may be connected to a vent line when installed as a separate system or must be carried independently above the roof.

Testing the Plumbing System.

171. The entire plumbing and drainage system within the building must be tested by the plumber, in the presence of a Plumbing Inspector, under a water test. All pipes must remain uncovered in every part until they have successfully passed the test. The plumber must securely close all openings, as directed by the Inspector of Plumbing. The use of wooden plugs for this purpose is prohibited.

172. The water test will be applied by closing the lower end of the main house drain and filling the pipes to the highest opening above the roof with water. The water test shall include at one time the house drain and branches, all vertical and horizontal soil, waste and vent and leader lines and all branches therefrom to a point above the surface of the finished floor and beyond the finished face of walls and partitions. If the drain or any part of the system is to be tested separately, there must be a head of water at least six (6) feet above all parts of the work so tested, and special provision must be made for including all joints and connections in at least one test.

173. After the completion of the plumbing work in any new or altered building and before the building is occupied, a final smoke test must be applied in the presence of a Plumbing Inspector. Except that for a building not over six stories in height, a peppermint test may be applied.

174. The material and labor for the test must be furnished by the plumber. When the peppermint test is used, two ounces of oil of peppermint must be provided for each line up to five stories and cellar in height and an additional ounce of oil of peppermint must be provided for each line when lines are more than five stories in height.

Plumbing in Tenement Houses.

175. All sections or parts of sections of the tenement house law relating to plumbing and drainage of tenement houses are to be observed, and are hereby made a part of these rules and regulations.

Gas Piping and Fixtures.

176. Hereafter the gas piping and fixtures in all new buildings and all alterations and extensions made to the gas piping or fixtures in old buildings must be done in accordance with the following rules, which are made in accordance with the provisions of section 89 of the Building Code.

For additional requirements of public buildings, theatres and places of assemblage, see Part XXI of the Building Code.

177. Before the construction or alteration of any gas piping in any building or part of any building, a permit must be obtained from the Commissioner of Buildings. This permit will be issued only to a registered plumber. Small alterations may be made by notifying the Department of Buildings, using the same blank forms provided for alterations and repairs to plumbing.

178. All gas pipe shall be of the best quality wrought iron or steel and of the kind classed as standard pipe, and shall weigh according to the following scale:

Diameters	Weights per Linear Foot
⅜ inch	0.56 pound
½ inch	0.85 pound
¾ inch	1.12 pound
1 inch	1.67 pound
1¼ inch	2.24 pounds
1½ inch	2.68 pounds
2 inch	3.61 pounds
2½ inch	5.75 pounds
3 inch	7.54 pounds
3½ inch	9.00 pounds
4 inch	10.66 pounds

No pipe allowed of less than ⅜ inch in diameter.

179. All fittings (except stop-cocks or valves) shall be of malleable iron.

180. There shall be a heavy brass straightway cock or

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valve on the service pipe immediately inside the front foundation wall. Iron cocks or valves are not permitted.

181. Where it is not impracticable so to do, all risers shall be left not more than five feet from front wall.

182. No pipe shall be laid so as to support any weight (except fixtures) or be subjected to any strain whatsoever. All pipe shall be properly laid and fastened to prevent becoming trapped, and shall be laid, when practicable, above timbers or beams instead of beneath them. Where running lines or branches cross beams, they must do so within thirty-six inches of the end of the beams, and in no case shall the said pipes be let into the beams more than two inches in depth. Any pipe laid in a cold or damp place shall be properly dripped, protected and painted with two coats of red lead and boiled oil or tarred.

183. No gas pipe shall be laid in cement or concrete unless the pipe or channel in which it is placed is well covered with tar.

184. All drops must be set plumb and securely fastened, each one having at least one solid strap. Drops and outlets less than $\frac{3}{4}$ of an inch in diameter shall not be left more than one inch below plastering, centrepieces or woodwork.

185. All outlets and risers shall be left capped until covered by fixtures.

186. No unions or running threads shall be permitted. Where necessary to cut out to repair leaks or make extensions, pipe shall be again put together with right and left couplings.

187. No gasfitters' cement shall be used, except in putting fixtures together.

188. All gas brackets and fixtures shall be placed so that the burners of same are not less than three feet below any ceiling or woodwork, unless the same is properly protected by a shield, in which case the distance shall not be less than eighteen inches.

No swinging or folding gas brackets shall be placed against any stud partition or woodwork.

No gas brackets on any lath and plaster partition or woodwork shall be less than five inches in length, measured from the burner to the plaster surface or woodwork.

Gas lights placed near window curtains or any other combustible material shall be protected by a proper shield.

189. Gas outlets for burners shall not be placed under tanks, back of doors or within four feet of any meter.

190. All buildings shall be piped according to the following scale:

Diameter	Length	Burners
$\frac{3}{8}$ inch	26 feet	3
$\frac{1}{2}$ inch	36 feet	6
$\frac{3}{4}$ inch	60 feet	20
1 inch	80 feet	35
$1\frac{1}{4}$ inch	110 feet	60
$1\frac{1}{2}$ inch	150 feet	100
2 inch	200 feet	200
$2\frac{1}{2}$ inch	300 feet	300
3 inch	450 feet	450
$3\frac{1}{2}$ inch	500 feet	600
4 inch	600 feet	750

191. Outlets for gas ranges shall have a diameter not less than required for six burners, and all gas ranges and heaters shall have a straightway cock on service pipe.

192. When brass piping is used on the outside of plastering or woodwork, it shall be classed as fixtures.

193. All brass tubing used for arms and stems of fixtures shall be at least No. 18 standard gauge and full size outside so as to cut a full thread.

All threads on brass pipe shall screw in at least $\frac{5}{16}$ of an inch. All rope or square tubing shall be brazed or

soldered into fittings and distributors, or have a nipple brazed into the tubing.

194. All cast fittings, such as cocks, swing joints, double centres, nozzles, etc., shall be extra heavy brass. The plugs of all cocks must be ground to a smooth and true surface for their entire length, be free from sandholes, have less than $\frac{3}{4}$ of an inch bearing (except in cases of special design), have two flat sides on the end for the washer, and have two nuts instead of a tail screw. All stop pins to keys or cocks shall be screwed into place.

195. After all piping is fitted and fastened and all outlets capped up, there must be applied by the plumber, in the presence of an inspector of the Department of Buildings, a test with air to a pressure equal to a column of mercury 6 inches in height, and the same to stand for five minutes; only mercury gauge shall be used. No piping shall be covered up, nor shall any fixture, gas heater or range be connected thereto until a card showing the approval of this test has been issued by the Commissioner of Buildings.

196. No meter will be set by any gas company until a certificate is filed with them from the Department of Buildings certifying that the gas pipes and fixtures comply with the foregoing rules.

Modifications.

197. When for any reason it may be impracticable to comply strictly with the foregoing rules, the Commissioner of Buildings shall have power to modify their provisions so that the spirit and substance thereof shall be complied with such modifications shall be indorsed upon the permit over the signature of the Commissioner of Buildings.

METHOD FOR TESTS FOR ANTI-SIPHON TRAPS OR FIXTURES.

Adopted by the Board of Standards and Appeals.
February 11, 1919.

Resolved, that the following be and it hereby is adopted by the board of standards and appeals as the method prescribed for tests for anti-siphon traps or fixtures, which must be successfully passed before such traps or fixtures shall be approved under Rule 99, Rules for Plumbing and Drainage:

Instructions.

1. The entire cost and responsibility for the installation of the necessary equipment for such test shall be borne by the person or firm submitting the appliance.

2. Such person or firm shall also furnish the board, together with the application for test, the following material and information:

(a) A stock trap of the size and design to be tested, which shall be of the P and S type and shall be of lead or brass, cast in one piece, and without interior partitions or mechanism.

(b) A similar trap cut in half.

(c) A similar trap, to be used in the test, provided with glass observation ports of sufficient size to permit clear observation of the action occurring within the trap during test, and such observation ports shall be so located that the amount of water seal remaining after each test can be readily observed.

(d) An affidavit that the three traps submitted are regular stock traps.

(e) A list of all cities, towns or municipalities where such trap has been officially approved for use without back venting.

The testing apparatus shall be located within the City of New York, and in a place, building or structure to meet the approval of the testing authorities. Such apparatus shall be so located that every part is easily accessible for inspection.

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Apparatus.

The apparatus shall consist of the following:

A tank of not less than fifty nor more than one hundred and fifty gallons capacity, with adequate water supply for refilling the same during the test.

A vertical wrought iron or steel pipe line fifty feet long, connected to the underside of the tank, and of the same internal diameter as the trap to be tested.

A quick-opening valve, located ten feet below the underside of the tank.

A TY fitting located two feet below the quick-opening valve, with horizontal branch pipe connected thereto, of the same diameter as the vertical line, this branch line not to exceed two feet in length, with a pitch towards the vertical line of two inches to the foot, and the trap to be tested shall be connected to this horizontal branch pipe.

A wash basin, or fixture answering the same purpose, which can be conveniently connected or disconnected from the inlet side of the trap.

The test shall be conducted as follows:

For Anti-Siphon Qualities.

For the purpose of determining the efficiency of the trap, the tank shall be completely filled, a water seal established in the trap; and:—

The quick-opening valve shall be opened for five seconds, then closed for five seconds, and this alternating process repeated five times.

The quick-opening valve shall be opened and the entire contents of the tank discharged at one time.

The wash basin shall be connected to the trap, filled with water, and both wash basin and tank discharged simultaneously. The quick-opening valve shall be kept open until the entire contents of the tank has been discharged.

The trap shall be disconnected and a bridge of solid soap formed across the lower half of the discharge end of the trap, so as to effectually block one-half of the clear waterway, and the foregoing tests repeated.

Each operation shall be repeated several times, if desired by the testing authorities.

For Self-Cleansing Qualities.

For the purpose of determining its self-cleansing qualities, the trap shall be filled with sand and the wash basin filled with water and allowed to discharge. A similar operation shall be repeated with tea leaves, coffee grounds, sawdust and grated soap.

For Service Qualities.

The service qualities of the trap may be tested as follows:

A trap which has been in actual constant use for a period of not less than one year shall be removed under the supervision of a representative of the testing authorities, split into two halves, and submitted for inspection, for the purpose of determining whether sediment or coating of grease or other foreign matter has accumulated in the trap during service conditions.

Approval.

An approval shall not be issued for any anti-siphon trap which has been subjected to the foregoing tests unless the trap has:

1. Maintained its water seal throughout the test.
2. Been successfully scoured of any foreign substance placed in the trap, when water has been discharged through same.
3. Upon inspection, after service, shown no excessive accumulation of grease or other foreign substance.

Deep Seal Siphon-Jet Fixtures, or Anti-Siphon Fixtures.

Instructions: Applicants for approval of deep seal siphon-jet or anti-siphon fixtures shall submit the following with their application:—

- (a) A stock fixture of the size and design to be tested.
- (b) A similar fixture, cut in half.
- (c) A similar fixture, to be used in the test, provided with glass observation ports of sufficient size to permit clear observation of the action occurring within the fixture during test, and such observation ports shall be so located that the amount of water seal remaining after each test can be readily observed.
- (d) An affidavit that the three fixtures submitted are regular stock fixtures.

Apparatus.

The apparatus shall be similar to that required for anti-siphon traps, except that vertical and horizontal pipes shall have an internal diameter of three inches for testing slop sinks and four inches for testing water closets; tank shall have a capacity of not less than one hundred gallons and the fixture shall be provided with its usual water supply so that same may be flushed when required.

Test.

For the purpose of determining the efficiency of the fixture to maintain a water seal, it shall be tested in a manner similar to that prescribed for anti-siphon traps, except that no soap bridge need be provided at the outlet.

APPROVED RANGE OIL BURNERS

A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly.....	250-34-SA	Kolrid Range Burner.....	48-34-SA
Air-O-Flame Range Burner.....	236-34-SA	Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA
Blue Glow Range Oil Burners, Models Supreme and DeLuxe	308-34-SA	Quick Meal Range Burner.....	304-34-SA
Florence Range Burners.....	219-34-SA	Quick Meal Space Heater, Models 5672-0, 5671-13, 5671-33 and 5671-35.....	306-34-SA
Fox Range Oil Burner.....	200-34-SA	Quick Meal Water Heater, No. 5681-0.....	305-34-SA
Hi-Heat Range Burner, Models A and DeLuxe	323-34-SA	Silent Glow Range Oil Burner.....	172-34-SA
Hupp Range Oil Burner, Models S. D. and C.D.	309-34-SA	Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA

PROGRESS REPORT

DOCKET.		DISPOSITION OF CASES.	
Cases pending December 31, 1933.....	212	Withdrawn	47
Cases filed up to December 19, 1934.....	356	Dismissed	51
Restored to Calendar.....	91	Denied	130
		Granted	2
		Granted on condition.....	170
		Appliances approved	75
		Appliances dismissed, disapproved or withdrawn....	32
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS.		MISCELLANEOUS ACTIONS.	
Requests to reopen.....	300	Requests to reopen granted.....	264
Requests to amend.....	100	Requests to reopen denied.....	22
Requests for modification.....	1	Requests to amend granted.....	100
Requests to rescind.....	0	Requests to amend denied.....	0
Requests for extension of time.....	67	Requests for modification granted.....	1
Requests for extension permit.....	12	Requests for modification denied.....	0
Requests for mechanical installations.....	0	Requests to rescind granted.....	0
Requests for approval of plans.....	12	Requests to rescind denied.....	0
Administrative requests	0	Requests for extension of time granted.....	67
Requests for interpretation.....	1	Requests for extension of time denied.....	0
Total.....	1,152	Requests for extension of permit granted.....	12
Disposed of	1,001	Requests for extension of permit denied.....	0
Cases pending December 19, 1934.....	151	Requests to install granted.....	0
		Requests to install denied.....	0
		Plans approved	12
		Plans disapproved	0
		Administrative requests granted.....	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	1
		Requests withdrawn or dismissed.....	14
		Total.....	1001

WARNING

Notice is hereby given to all petitioners, appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or petition ties the hands of the administrative official in enforcing his order, therefore, no appeal or petition will be allowed to be hung up by reason of failure of the appellant or petitioner to file necessary data, or by any other method of delay.

Sixth, That no appeal, application or petition will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal, application or petition forms.

BOARD OF STANDARDS AND APPEALS
Room 1001, Municipal Building,
New York City.

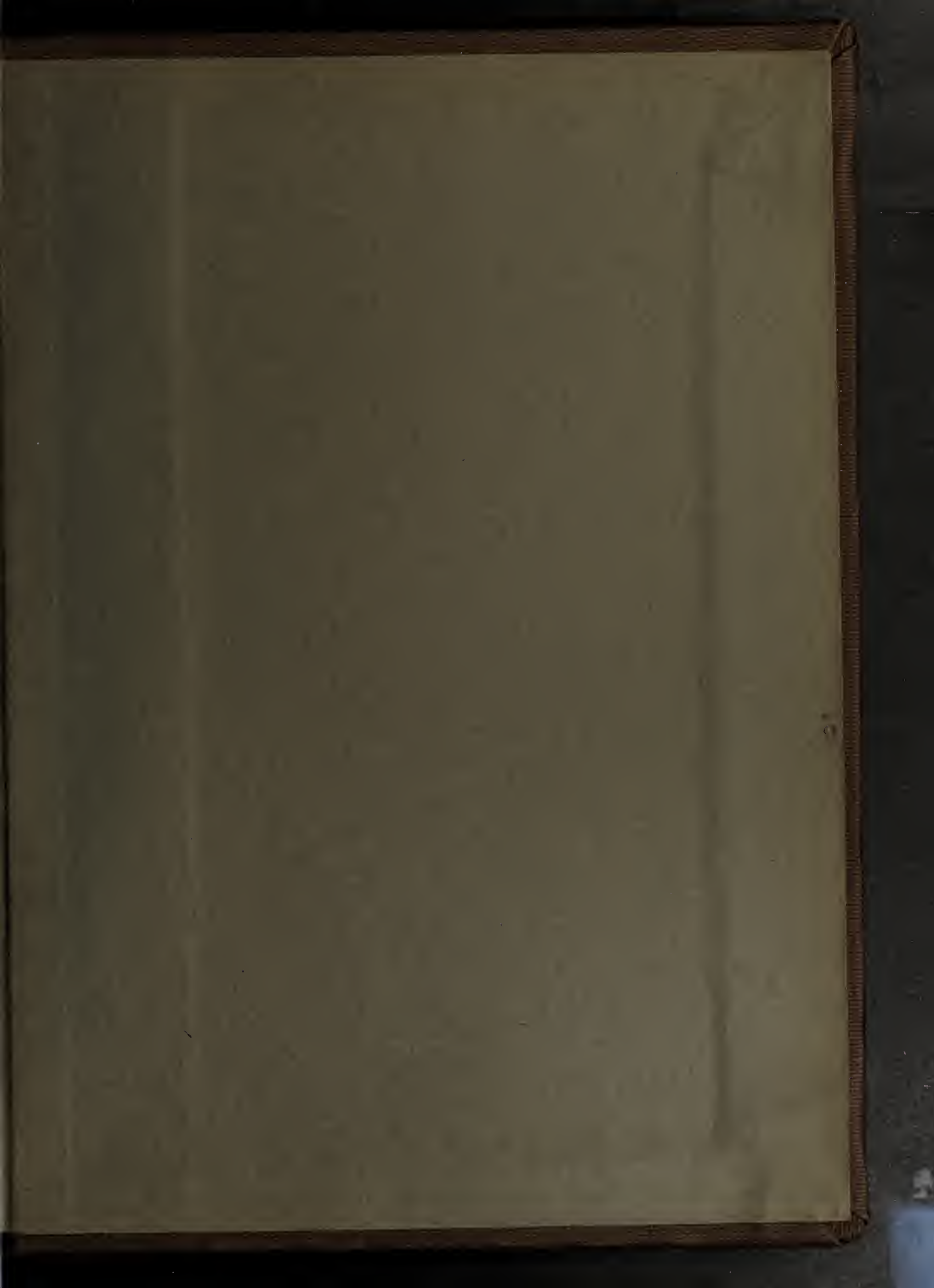
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